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No. 1957

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CHARTER 77 REPORT ON POLLUTION OF CSSR ENVIRONMENT

Rome LISTY in Czech No 6, Nov 81 pp 34-40

[Text] The Charter 77 spokesmen have received from a circle of signatories a treatise on the state of the environment in our country.

We welcome this contribution because the resolution of the problems submitted and dealt with therein, causes a real or at least generally sensed division of this society into the powerful and the powerless, into authorities and "ordinary people." Our living environment is the concern of all citizens, and if we find a common language in resolving this problem, it will mean a rare opportunity not only for the environment but also for our society in the 1980's.

It is obvious that the outline of the problem as presented is merely fragmentary and considers only certain aspects of a broad, changing, and even today not fully understood range of problems. Given the nature of this matter, it cannot be otherwise; moreover, access to information in this area is difficult or lacking altogether. The treatise, for example, does not deal with the problem of radiation, noise, accumulation of harmful chemicals in food, production and export of wood substances and other raw materials, pollution of subsoil water, local technology for the mining of uranium, effects of urbanization on the land, influences of international political relations, etc. We hope that the treatise will be received by competent authorities, as well as the public, primarily as a stimulus for dealing with these and other aspects, and for putting the outlined problems in the broadest possible perspective, so that we may gradually seek out the causes of the present state of affairs, and adopt concrete remedial measures.

It is clear that environmental problems transcend the framework of professional expertise alone, they are part of one of the basic human rights, namely the right to life,

which is also the right of those who come after us. Consequently, responsibility for the environment is an inseparable part of all of us who defend the basic rights and liberties of man. It is obvious from the treatise which follows that without the cooperation of all citizens, these problems cannot be resolved.

The very condition of our environment indicates the need for open discussion, freedom of expression and association for those who want to defend their own interests but also live up to their civic responsibility. Last but not least, it indicates the inevitability of respecting the right of self-determination of nations and their free development.

We consider this report on the environment as a text which we hope will stimulate a great number of citizens and officials to a broader and deeper consideration of the problem, and that it will bring about within them a determination to participate in the elimination of the ominous phenomena which threaten us, as well as future generations.

12 May 1981
Vaclav Maly, Charter 77 Spokesman,
Prof Bedrich Placak, M.D., Charter 77 Spokesman,
Jaroslav Sabata, Charter 77 Spokesman,
Ladislav Lis, Member of the Collective of Charter 77 Spokesmen.

REPORT ON THE STATE OF OUR ENVIRONMENT

Much has changed in our country in the past 30 years. We are often told in great detail about the positive changes, the richness of our society's achievements and the emergence of new values. The balance sheet presented to the public, however, hardly ever mentions the changes for the worse, the destruction of values or the threat to them. It should be noted that these are not transitory values, but permanent and often irreplaceable losses. Negative changes are seen not only in relations among people, they have also afflicted the relations between man and nature. Our living environment has greatly deteriorated.

The countryside has changed. Where a new settlement emerges, the land can no longer produce. The settlement, however, need not be built on fertile land or, even worse, on the best tillable acres. During the past 7 years, we have lost 10 percent of all fertile agricultural land to all sorts of construction projects. The quality of the land which remains, deteriorates from year to year. Acres smothered by heavy machinery allow neither water nor air to permeate, they contain little humus and an increasing amount of weeds. This portion of natural resources on which our lives depend is in a serious state.

In the span of one generation, the forest has ceased to be a forest in the sense of European tree-growing culture. Except for proliferation of fungi, the harvest of forest fruits is diminishing. It can be said without exaggeration that most of our forests are immediately threatened with terminal decay.

If the numbers of hares and pheasants have dropped many times lately, if we fail to find even a single partridge in the countryside, it is only an ominous indication that the different kinds of plant and animal life are vanishing. Variety in nature is not only a cultural asset but also an important genetic factor which we must not overlook lest we upset the necessary balance in nature.

Never before have we experienced such far-reaching metamorphoses within such a short time. None of the generations which inhabited this land before us, have harmed nature as much as ours. Nature can no longer overcome the abuse of human activity. If we continue in this manner, we will endanger the natural sources of our existence and our territory will become uninhabitable.

There is no doubt that the deterioration of the environment is closely linked with the necessary growth of production. All industrially advanced countries must pay this price of progress (if mere quantitative growth in production can be called social progress). The threat to the environment in the CSSR, however, is specific and in many respects more serious than in a number of other countries. This stems from some of the special features of our economic life.

In comparison with international standards, we are not a big country and square mileage and character do not reflect the volume and especially the kind of our economic operations. There is an overabundance of heavy industry, while the quality of environmental protection against noxious manifestations and their consequences is low. Our industrial operations require large amounts of energy, primarily for transportation (to a lesser extent for extraction) of all raw materials, secondly, for their processing which is highly energy-consuming and, lastly, for transport again of heavy products, often too costly in terms of labor.

All these operations produce waste matter which harms, or destroys outright, our living environment. In comparison with the volume of waste matter and harmful byproducts, we must realize that our country is too small to afford such behavior for too long. We occupy first place in the world in the per capita production of ash debris. We pollute the waters as if we had 4 million more inhabitants, and filter it in a manner which reflects 4 million less. In comparison with advanced European states, our environmental protection is less effective, both in the quality of technological means used to improve the existing situation and in the damage to society by industrial and other enterprises which pollute the environment, and against which we apply insufficient protective measures.

Over the years, not enough attention has been devoted to the protection of the environment, which remained of secondary interest even at the recent CPCZ congress. In the discussion contribution of the prime minister of the CSR, the following was stated: "We also do not forget that without clean air, clean rivers and an abundance of forests, our concern for the living standard would completely lose its meaning." Is it true that we do not forget?

The Air We Breathe

Our atmosphere is polluted with harmful substances, in small concentrations in some places, beyond the permissible limits in others. Even in places to which we travel in search of "fresh air," we can measure considerable amounts of pollution.

For along with the air, we inhale oxides of phosphorus, carbon, and nitrogen, halogens, phenols, nitrates, hydrogen sulphide and emissions from gasoline and fuel oil, as well as a whole range of toxic substances which the present development of the human organism did not take into account.

Entire regions are polluted through the constant presence of harmful emissions: the Low and High Krusne Mountains from the Karlsbad area to Decin, the atmosphere of Central Bohemia is deteriorating rapidly, as is the Melnik area, also affected are the Pardubice area and Northern Moravia. Automobile-exhaust pollution has been added to industrial emissions. The atmosphere in Prague and Bratislava is as bad as that of the highly polluted areas of Most and Chomutov. Certain Prague districts even have a higher concentration of sulphur dioxide than the North Bohemian region (see VECERNI PRAHA of 9 February 1981). Gas emissions are joined by solid particles. The fall of ash in the CSSR has an annual average of 280 kilograms per inhabitant (we are at the head of the world chart), in certain sections of Bratislava this reaches as much as 1,000 tons per square kilometer annually. About 4 million inhabitants, i.e., 26 percent of the population, live in highly polluted areas which are harmful to health.

The main source of pollution is the burning of fossil fuels. In Europe as a whole, we annually pollute the atmosphere with 25 million tons of sulphur, and our share considerably exceeds the average corresponding to our size and number of inhabitants. Our fuels and energy consumption is based predominantly on the use of lower quality fuels, especially brown coal and lignite. Such fuels have a low heating capacity and produce large quantities of waste, especially sulphur and ash. These conditions will not improve, on the contrary, the sulphur content in coal increases constantly and, with the dropping of heating capacity, it is necessary to burn increasingly more coal. In addition to electric plants and production enterprises, such coal is used in 70 percent of households.

Tall chimneys reaching up to several hundred meters do not provide a solution and represent merely a form of abili. They help improve the situation in the immediate vicinity of the pollutant, while scattering harmful substances across a larger area. The industrial regions and neighboring states trade their emissions in this manner.

The polluted atmosphere has lately become an enormous burden on the national economy as well. Among other things, it raises the acidity of soil, disrupts building operations, and causes rapid deterioration in metal construction. Nevertheless, the greatest harm done by pollution is to living organisms. Even leaving aside the effect on human beings (we are as yet far from understanding all the long-term consequences of emissions), the state of our forests is disturbing enough even today.

In some ways, forest growth is subjected to double the amounts of pollution which inevitably lead to extinction. Other forest areas which vegetate under seemingly tolerable concentration of pollution do not die off immediately, but are seriously weakened. They thus become susceptible to assault by living organisms and weather conditions which a healthy forest would be able to cope with. With the exception of Sumava [Bohemian Forest] where this metamorphosis is as yet little noticeable, all forests in the Bohemian border regions have been severely damaged. Some are

beyond salvage, such as the Krusne, Luzicke and Jizerske mountains, and the western part of the Giant Mountains. A situation threatening annihilation, however, may soon be reached in the forest growth in the Beskydy, Jeseniky, and Orlicke mountains, and other inland forests. The effect of emissions and weakening of coniferous trees, is already noticeable.

Our forests represent a national treasure which we inherited from our forefathers and which we should safeguard for future generations (a tree grows for 100 years), not only as recreational areas and ornaments of unparallelled beauty on our land, but they are also an irreplaceable factor in water economy, in protection of soil, living things, and in the formation of the atmosphere. Even if for no other reason than to save the forests, all efforts must be focused on the improvement of air quality.

The Water We Drink

A similarly disturbing phenomenon is water pollution. In the near future, we will have to transport clean water over long distances and purchase it in containers, as we do milk and other beverages.

It is quite natural that all substances dispersed in the air will, sooner or later, end up in water. On top of this, there are pollutants which reach water without the intermediary of the atmosphere, simply by being placed there.

Our potable water contains a number of elements which reach it predominantly in the form of waste. On the other hand, this type of water lacks certain minute natural elements essential for the development of organisms. Two factors share in approximately equal parts in water pollution. The first pollutes it along the entire length of streams and in the whole process of water circulation. This is the way water is reached by chemical matter used in agriculture, especially nitrates. Together with rainwater, the soil of underground fertilizer waters is permeated with other matter distributed in the fields, and industrial emissions falling over our entire territory. These constantly growing impurities are joined each year by hundreds of so-called accidents which strike at both surface and underground waters. The most serious of these is crude-oil spillage which is caused by a wide variety of technological shortcomings (the last serious crude-oil accident was the leak in the pipeline near Havlickuv Brod. It is regrettable that the public was not--as in similar cases--informed of the causes and the magnitude of the calamity).

This type of pollution factor is largely general and anonymous. The second factor, just as devastating to water quality, almost always has an exact address and the measure of responsibility is clear. On hundreds of sites, waste is knowingly released into streams. We are referring to that portion of urban and industrial waste which industry is unable to process. Most organic pollution comes from the sewer system, and from the food, chemical and textile industries, as well as paper mills. Even though the rest of the industrial sector has a lower share in this type of pollution, it often involves exceptionally noxious substances.

The bulk of this so-called waste water can, before releasing it into the streams, be cleaned and adapted to acceptable and, in hygienic terms, permissible levels.

For as long as 22 years, our laws have demanded filtering but, unfortunately, these laws also permit the government to authorize exceptions. At the present time, more and more exceptions are being granted, and those in the know have no doubt that when the Czech and Slovak governments deal with this problem the next time, they will have no choice but to extend most of these exceptional permits.

Every year, plans for the construction of filtering stations are lowered in the central organs, and even the approved remainder is usually not implemented in practical terms. With the current rate, it seems that we will not be able to build the needed installations in less than 50 years (the rate of construction of new filtering stations in 1976-80 was indeed lower than in 1961-65) and since the sources of pollution will in the near future multiply rather than decrease, the quality of air and water will in the coming years continue to deteriorate.

The air in the countryside is still somewhat clearer than in the industrial concentrations, but the same cannot be said of the water. Frequently, water in the country is polluted with nitrates to such an extent that it can be considered a liquid suitable for use as fertilizer. Sometimes it is so bad that it cannot even be used for irrigation. City water usually contains less nitrate but more of the other toxic substances, including dozens of virus types capable of infecting hundreds of thousands of people every year.

Threatened Land, Threatened Man

Polluted air and water have a negative effect on people's health. We must also bear in mind that by no means all aftereffects manifest themselves today, and that therefore we do not even know them all. The deterioration of the environment came about too suddenly and the metamorphoses found us unprepared. The human organism did not have time to develop protective mechanisms, assuming that such exist.

For the time being, it is possible to live with polluted air and polluted water. The question is how well and for how long. The chief hygienist of the CSR announced officially that a concentration of 660 units of sulphur dioxide is the upper limit tolerable by man without damage to his health. But according to regional measurements in 1979, such concentration in the city of Chomutov reaches 860 units of SO_2. In the vicinity and in the direction of the mountains it rises to as much as 1,300 units, 1,000 in Jirkov, 880 in Klasterec nad Ohri, and 1,200 in Vejprty. Similar conditions exist in many localities of the Most, Teplice, and Usti areas, but also in the vicinity of Karlsbad and Cheb.

Children growing up in areas in which there is increased burning of energy coal, have as much as one-fifth higher count in red blood corpuscles. This is the way our organism reacts to sulphur dioxide in the atmosphere to restore oxygen sufficiency. It is an emergency measure. Each such change deprives the organism of energy which then manifests itself in different ways. Lack of reserves used up in the defense against a polluted environment becones noticeable especially in time of sickness. In polluted industrial areas, among which we can in full measure include, for example, the industrial districts of Prague, there may not actually be more cases of upper respiratory tract inflammations, but in those which occur, the complications are usually more serious. In heavily polluted

areas, cases of leukemia in children are more common and the knitting of children's bones occurs a year later than is normal.

All this damage at an early age carries over into adulthood. Water containing nitrates fed to infants creates conditions for heart disease after the age of 30. If it is replaced by mineral water, there may be damage to the kidneys which are then still in the formative stage. Thus, the only way to ensure healthy development is to use clean water.

The average life expectancy in highly polluted areas is already 3 years less than elsewhere. Only the future will show how coming generations which have lived with pollution since birth will react, and ewhat aspects of their own physical damage they will pass on to their children at conception. Economic losses caused by deterioration of the environment are of such magnitude that often they are likened to the total cost of our entire retirement benefits system. Even more significant, however, are the losses which cannot be translated into figures and which represent a great worsening of the quality of life.

Secrecy Delays Needed Changes

The deteriorating environment is talked about in our country with an officially weighed measure of criticism. Some data appear from time to time in publications with limited circulation and intended for a small circle of specialists, other data, such as, for instance, on the harmful effects of pollution on health, are considered secret. We believe that this factual concealment of the truth is dangerous. Efforts to create the impression that the deterioration of the environment, while an unpleasant problem, is one of a secondary nature which is in the process of being resolved today and will remain manageable in the future, are obviously prompted by fear of panic. But, in fact, if there is panic, it will be the consequence of ill-conceived long-term concealment of an alarming reality. If the authorities admitted, for example, what the inhabitants of Chomutov are exposed to every day, the number of people moving out of the area would promptly increase. Many citizens would consider their and their children's health more important than higher wages. This would cause economic complications, there might arise questions of who is responsible and above all, doubts whether the economic development of past years had been planned and conceived intelligently, or whether in its consequences it was bound to bring about negative changes in our living environment.

For example, extraction and burning of brown coal is planned to increase in the coming decade, while coal extracted in the future will contain 7-10 percent sulphur, so that the sulphur content in the atmosphere will increase by half again. Moreover, this coal will be mined at enormous expense.

More towns and industrial complexes which will have to be relocated, will be sacrificed to surface mines several dozen meters deep, while no one has a realistic idea whether there is any chance of restoring the land destroyed in the process. If we continue in this manner, the quality of water will also get worse every year because pollution sources still grow faster than measures against them. Even today, the amount of nitrates in water is alarming, while intensification of agricultural production is merely in its initial stages. The

effects of pollution are often noticeable only some time after the entry of the harmful substances into the soil; consequently, we cannot tell if the amount of nitrates in water corresponds to the current quantities of chemicals used in agriculture. One thing is certain, namely, with the current thinking in agriculture and its corresponding practices which have the sole purpose of a constant quantitative rise in production, water and air will later be in even worse condition than today.

Main Pollution Sources and the Road to Improvement

We believe that in order to achieve a meaningful turn in this problem, we must focus on the principal sources of pollution, even though we must not overlook the others. The main source of atmospheric pollution is the type of noxious emissions produced by burning brown coal and most emissions from thermal electric plants. Thus far, we have not resorted to technology which would isolate the sulphur and prevent it from entering the atmosphere. Unless we do this on a large scale, there is no choice but to reduce, rather than increase, the use of brown coal. This need not cause our energy inventory to decrease, provided we overcome prevailing views that to each additional requirement in production we must react by further increasing it. The capacity of 100 (or 1,000, or 5,000) megawatts of electric energy anticipated for the necessary increment in our energy inventory, can be resolved in one of two ways; either by new capital investment construction which is the currently preferred method, or by decreasing current consumption by the same amount. There is no doubt that the second alternative is equally effective, less costly and more desirable with respect to the environment. While we have a state program of rationalization in energy consumption, it is inadequate and not properly adhered to. This is not because we have reached the limit of our capabilities, but rather because we have insufficiently applied factors which would inevitably lead to savings in this field. International comparison clearly shows that in energy consumption per production unit, we are far behind developed states. About 30 percent can be saved if we apply already known technological methods. Instead of progressive investment in energy savings which would benefit the environment, we keep investing in increasing extraction of brown coal and in additional electric plants which harm the environment. Most of our electricity--about three-fourths--is used up by large and medium consumers. Yet, production enterprises are still not sufficiently motivated to deal with the problem of savings seriously. The catch is that in terms of budget considerations, they do not feel pressed into this, since the cost is anticipated in the production plans. Also, they have learned to live with limited availability of energy, which is easier and less demanding than engaging in the complicated process of introducing new, more economical technology. The lack of concern in many enterprises about the need for energy conservation is primarily the result of economic calculations under the given indicators. The management knows that the superior organs which request a product, will in the end agree to allocate sufficient energy resources. And even in the worst situation, there is always the reserve of free resources, for example, Saturdays. The struggle for energy is waged in negotiations with distribution plants and higher organs, rather than with technological components.

For the most part, the enterprises are not even equipped for energy conservation. While other developed industrial countries established the position of specialist in energy conservation years ago, our enterprise workers in energy often lack even rudimentary technical knowledge. Even if they do have such qualifications, they cannot or are not permitted to put it to practical use. They are not expected to be experts on energy conservation, rather their basic task is to ensure sufficient amounts of energy, and their performance is rated accordingly. For this purpose, there are no supraenterprise branch and state organs which would effectively deal with the problem and provide practical assistance to the enterprises in the handling of it. It is not surprising that under these circumstances, there remain many unexploited opportunities for energy conservation and that the main developmental trend is focused on finding new energy sources.

While insufficiently informed citizens get a taste of the deteriorating environment, they are ignorant of its true state and its relationships. Consequently, they consider calls for energy conservation (primarily in the production process where it would be more effective) just another type of moralizing official exhortation toward economizing generally, and they react accordingly. Until such time as the need to improve the critically threatened environment becomes the subject of a broadly-based, open discussion, and until energy conservation is understood as a task transcending all other political and economic imperatives as a goal directed at the protection of health and salvage of the land, we cannot expect a turn in energy consumption toward real rationalization.

It is difficult to take seriously the words of our national economic officials on the need for energy conservation when we find that in a district capital it is impossible to find even simple insulation materials for windows and doors. It is well known that in our country, perhaps more than anywhere else in Central Europe, we are guilty of an enormous waste in energy. In a society whose environment is so overburdened with burning coal, we would expect more concern for improvement by the state. We believe it is not asking too much to require responsible institutions to check the heating systems in buildings (where most losses occur) as is customary in other countries, and advise the manager or owner how to effectively prevent waste, how to use supplementary energy sources and how to economize in this area. Again, the catch is that by far most citizens living in housing settlements have no immediate material incentive to conserve heating and hot water. Energy experts have found, for example, that the system of measuring heating and hot-water consumption in individual households leads to substantial savings (30 percent immediately). Unfortunately, we do not have the means for the introduction of heating and hot-water meters. Automatic regulation in thermal plants is indeed economical, however, there is a lack of necessary equipment (small and medium thermal plants in cities do not even have ash separators). There is a shortage of thermostats of sufficient variety and at acceptable prices. Most electrical appliances for home use are wasteful in energy, and more rational models are still too expensive. We are falling behind the global trend of energy conservation, without even considering effective new technological advances. A more thoughtful policy of energy conservation and consumption, overall state support and, where needed, subsidization at the expense of coal mining and thermal plants, can contribute to a halt in environmental deterioration. In order for things to start improving, it will be necessary to gradually eliminate all industrial emissions and, above all, to restructure the whole system of energy production and consumption.

Certain International Relationships

Even if we do not increase the amount of noxious substances in the burning of coal, we still cannot be sure that the harmful content of our atmosphere will not grow. Pollution sources in the GDR contribute to half of the overall pollution in Northern Bohemia. Pollution originating from sources in the Polish People's Republic [PLR] add significantly to atmospheric deterioration in the areas of the Jizerske and Luzicke mountains. Our own efforts to halt emissions would produce only limited results, if the planned growth of brown coal electric plants in the GDR and PLR is implemented in areas from whence we are afflicted today.

Whereas up to now the reaction to mutual pollution was that there is no sense in blaming one another, effective measures adopted by one side must establish an entirely new relationship, i.e., emphatic defense of national interests and international resolution of a critical situation.

Is Nuclear Energy the Answer?

In Europe and other parts of the world there has for years existed an activist movement of opponents of nuclear power plants. We understand its motivation and carefully monitor its argumentation. For us, Czechoslovak citizens, however, the immediate threat comes from the existing traditional sources of electricity. We are overwhelmed with gas and solid emissions to an extent which imperils life itself. Unless we want to give up the bulk of electric power and sink to a lower level of technology and civilization, we must turn to other, unconventional energy sources. The best answer, of course, would be in the new "clean sources," i.e., direct conversion of solar energy, geothermal, and hydraulic energy, etc. It is doubtful though that practical application of these sources will materialize before the year 2000. Naturally, we should even now exploit all technologically viable opportunities of solar collectors, thermal pumps for heating water, etc. Special attention should be given to the construction of hydroelectric plants, especially on smaller streams where some small plants had shortsightedly been liquidated. Recently, nuclear power plants have been coming to the fore.

Research conducted around the world, indicates that nuclear energy is many times safer (British findings claim 140 times) than thermal energy plants. Under Czechoslovak conditions, this sounds promising. Nevertheless, we should consider the undisputable, as well as anticipated, risks. If, however, we still favor nuclear power due to its being "clean," we must, of course, insist that all measures to protect human health and the environment, be consistently respected. The Czechoslovak nuclear program is based on the VVER electric power plants. These installations in Jaslovske Bohunice and Dukovany, however, do not have the active zone protected by a double layer as is customary today in nuclear plant construction in the West, and even in Finland, which has already installed this type of protection. This is a matter of mandatory caution in the interest of the population in countries where a nuclear plant cannot be built in the wilderness, but sometimes as close as 20 kilometers from the nearest settlement. In Western European countries, the protective coating is planned and tested against external shock equivalent of an airplane crash. The likelihood that a nuclear power plant would ever become the site of an airplane disaster is remote, but the consequences of such an improbable accident in a densely populated country would be so catastrophic that it is not hard to understand such caution, and demand it here, too.

equally stringent measures must be enforced in the storage of radioactive waste (fully leakproof for 600 years), in the disposal of water containing tritium, and finally in special training and restrictions on work schedules of nuclear plant personnel. If these technicians work perhaps only 12 hours a week wi[illegible] ample opportunity for maximum concentration, it is more important to society than the so-called productive utilization of labor with the attendant risk of human error. In other words, in the construction and operation of nuclear plants, the criteria for economizing cannot be applied in the same manner as in other types of endeavor.

Automobile Traffic

Inhabitants of urban centers residing near communciations arteries with heavy motor car traffic, suffer not only from industrial emissions but are, in addition, afflicted with the effects of toxic exhaust fumes of gasoline and engine oil. Their health is thus doubly jeopardized. Our motor construction, chemical composition, and even maintenance practices are not up to world standards and requirements for environmental protection. Even though atmospheric pollution by exhaust fumes from the internal combustion engine still remains a global problem in certain formerly critically polluted areas, thanks to effective technological and organizational measures, the situation is beginning to improve, as for instance, in Japan. Pollution in our big cities, especially Prague and Bratislava, however, is not likely to recede in the foreseeable future. Radical curtailment of traffic and exclusion of transit roads from the inner city, are not yet on the horizon, on the contrary, Prague inherited a new source of pollution (the long-distance expressway runs through the city). Introduction of trolley buses for urban mass transit is not being considered, neither are electric-powered vehicles. Yet, the constantly diminishing green areas in cities, can no longer fulfill their role of filters. The desirable size of plant life area per inhabitant is 20-25 square meters, but in Bratislava this comes to only 4 square meters. According to the VECERNI PRAHA of 9 April 1981, in the Nove Mesto district of Prague, there is only 1.2 square meters of green area per person, and in the Smichov district 0.89 square meters.

What Can Be Done to Purify Water

Directives have been issued demanding adherence to certain rules in the vicinity of local water works, in the so-called protective zones. We must welcome this effort and support it in every possible way. Control of pollution sources emanating from agriculture does not need capital investment and costly measures nearly as much as it needs thoughtful and intelligent action. Often we find cases where a whole variety of chemical substances is placed in the soil, not because the crop absolutely needs them or because it was impossible to achieve the same effect by other, cleaner methods, but rather because the distribution of chemicals is planned in a stereotyped manner and had been earlier agreed on in contracts. We must create conditions in which we have a much better overview of the situation in order to reduce pollution caused by releasing noxious substances from sewers and industrial waste into our streams. It has already been mentioned that construction of filtering stations is being postponed and runs behind planned requirements, as well as in keeping up with growing pollution. In the next 20 years, the amount of organic pollutants is expected to rise by a full one-third of the present amount. Central organs still do not consider the need of the population for clean water of primary importance. This is demonstrated by the fact that less

than .5 percent of all planned capital investment is allocated for waste-filtering stations. We are aware that there are many diverse needs and special interests which have to be considered in the allocation of public funds, but the purity of water, a crucial element of life which we use every day and on which depends the present and future well-being of the nation, should certainly be considered more valuable than the equivalent of one two-hundredth of all anticipated other interests.

Our Tasks

We maintain that the state of the living environment in the CSSR is very serious, certainly more serious than is officially admitted. If responsible citizens during the next few years succeed in halting the deterioration of the environment, it will be an important milestone for society. Eventually, actual improvement of the quality of air, water and the overall condition of nature is imperative for the future of our two nations. It will require more modern technological approaches, newly-conceived, less wasteful energy consumption and the ability to process that which today we consider waste. Making our environment healthier will not be possible without basic reconstruction of the industrial branches which henceforth must give nature a chance to adapt itself to the disruptive effects of progress.

Last but not least, we must gradually recapture again that long-lost, as well as newly-perceived, wisdom which is able to distinguish what in the life of man is really important. The finite character of life's necessities must lead us not only to the art of deliberate economic management, but also to the willingness to give up certain claims to an even more leisurely and, through technology, more guaranteed way of life oriented only toward the consumption of material assets. We will be confronted with a new way of thinking, a new assessment of values and an awakening to new responsibilities. The very condition of our living environment summons us to this task.

We Propose:

--Open a public discussion on the state and outlook of our environment, and make it possible for the public to effectively participate in the recovery of our natural resources through spontaneous associations and initiatives; only through cooperation between the authorities and informed citizens can we hope to achieve beneficial changes. This effort will make use of already existing concepts which are oriented, more or less, in the right direction. We should enhance the authority of the existing Union for the Protection of Nature, and authorize the establishment and activity of similar associations and committees at all levels.

--Organize freely-elected committees for the protection of the environment and healthy working conditions in plants whose production most negatively affects the environment (chemical, lime and cement works, large electric plants, metallurgical works and mines). In cases where, as a result of production, the environment continues to deteriorate further and remedial action fails to bring about the desired results, these committees will have the right to propose a halt in operations and in capital investment construction.

--National committees of all levels will inform the public of environmental damage caused by industrial or agricultural operations which, by their importance, transcend the jurisdiction of a given national committee.

--Organize a committee for the protection of the environment which, as an independent citizens' initiative--and separate from official organs or already existing associations--would study the problem and propose appropriate action.

--In design and operations of nuclear power plants, all safety measures customary in European countries with dense populations, must be applied.

--Motivate trade union plant committees and higher union organs to insist, in line with their mission, on the observance of laws and standards which apply to this area and, if needed, propose supplements and amendments. If appropriate, the union organs should revise their collective contracts and add clauses dealing with environmental protection at the enterprise and broader level.

--We call on economists and economic managers to assess without bias the impact of contemporary national economic concepts of our state on the environment and present their conclusions to the public for evaluation.

--Ensure deserved publicity for economic problems, publish in sufficiently large editions the works of Czechoslovak specialists, as well as translations of foreign authors. Prepare regular, comprehensive reports on the state of the environment and its prospects to be published in easily accessible periodicals on the national and regional levels; publish an ecological atlas of the CSSR containing information on the principal sources of air and water pollution, on the state of our fauna and flora, etc. In highly threatened areas, also inform the public by means of the mass information media on the degree of noxious concentrations, dangerous drinking water, etc.

--Initiate tripartite negotiations of the CSSR, GDR and the PLR, where measures against further deterioration of the environment in the border regions would be coordinated. Adopt the principle that measures by one of these countries must not be frustrated through higher noxious emissions on the territory of the other two. Publicize the course and results of such negotiations. We propose that CSSR state representatives take the initiative toward the formation of a permanent European council for the environment, based on principles of cooperation among participants of the Conference on Security and Cooperation in Europe. Following a preliminary exchange of views and programs, strive in the first phase for effective cooperation with all neighboring countries; in the second, enter negotiations proper on the all-European level.

--Make arrangements for existing organs and, in the future, for new organizations, associations and individuals who are interested in environmental problems, to allow them free communication and exchange of information with similar organizations, associations and individuals abroad.

--We propose that the Directives for National Economic Development for 1981-85 include proposed solutions for the negative effects of the existing orientation of production, extraction of raw materials, and related transport operations, on

the living environment. The directives should set aside a portion of capital investment for the installation or modernization of ash separators, equipment in electric and thermal plants for the removal of sulphur, construction of filtering stations, etc. Make it quite clear to enterprises and national committees that, in accordance with appropriate new legislation, the Czech and Slovak governments will after 1985 no longer grant exceptions for the filtering of water waste. Include in the cited directives measures which would lead to a significant improvement of the environment by the end of this decade at the latest.

9496
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STUDENT QUESTIONS ON MILITARY ACADEMIES ANSWERED

Bratislava SMENA in Slovak 14 Nov 81 p 3

[Answers to student questions by Lt Col Stefan Durkovic: "Military Schools"]

> [Text] In these days, students at basic and high schools are making the final decision on what field of study they will major in at high school or college. Many of them are interested in study at military schools. This is borne out by the questions which they sent to our editor. In our supplement FREKVENCIA CSO 77 MILITARY SCHOOLS, these questions are answered by CSLA [Czechoslovak People's Army] member Lt Col Stefan Durkovic.

High Schools

[Question by Milan Pacovsky, Cadca] What are the conditions that an applicant for study at the military school must meet?

[Answer] He must be interested and possess prerequisites indispensable for performance of service as a professional soldier as well as political and moral qualities and good health. CSSR citizenship also is required. Naturally, he must successfully complete ZDS [9-year basic school] and, if an applicant for study at college, he must also pass maturita [secondary school graduation examination]. There is emphasis on the age limit but we shall deal with that in connection with another question.

[Question by Viera Patakyova, Nove Zamky] My son is interested in study at a military school. Whom should he ask for assistance: the school or military administration?

[Answer] Requests and applications for all types of military schools are accepted and discussed by the appropriate--okres or district--military administration. The applicant for study at a high school will call on the military administration according to the place of his residence. The applicants for study at a college, 2-year officer school, 1-year maturita course and female applicants for a course for women will get in touch with the military administration in the territory where they attended the high school.

[Question by Peter Sykora, Krupina] I have heard that there is an age limit for study at military schools.

[Answer] Boys who apply for study at high schools, those who have finished the eighth or ninth grade of ZDS by 15 July of the year in which they send the application must be 14 years old and must not be older than 16 years when they start the study. Applicants for study at military colleges must not be older than 24 years in the year in which they start studying, but a 21-year limit applies to students at the Military College for Pilots in Kosice.

[Question by Michal Sedlak, Puchov] Do students at military schools have vacations or only furloughs?

[Answer] Since the military schools are part of the Czechoslovak educational system, similar regulations apply to the duration of studies and vacations. Students at military high schools have vacations at the same time and of the same length as corresponding civilian schools, that is, 10 days during Christmas and New Year holidays and 7 days of vacation in spring. Summer vacations last 6 weeks. During vacation, high school students can wear civilian clothes. College students have a vacation of 7-10 days during the Christmas and New Year holidays, 7 days after the end of the winter semester and 30 days of summer vacation.

[Question by Ernest Stric, Kezmarok] Some people say that the maturita certificate or engineer's diploma issued by a military school is not valid upon return to civilian life.

[Answer] This is not true. Our army is naturally interested in continued service of graduates from military schools. However, if an individual for reasons of health or other reasons returns to civilian life, his education acquired in the army fully applies to his civilian status and employment. This is clearly formulated in the laws and decrees applicable to high schools, in the law on colleges, Labor Code and other regulations.

[Question by Maria Ferencova, Michalovce, and Maria B, Dubnica nad Vahom] What possibility of studying at military schools exists for girls?

[Answer] At the present time, the CSLA does not accept girls for any type of military schools. This does not mean, however, that you cannot become a CSLA member. After completing high school study ending with the maturita, you can register for study in a 1-year technical course. The upper age limit for the female applicant is 21 years. You can enroll in the course at Kosice: for ground specialists of air force at Nove Mesto nad Vahom, signal file service and in Prague, operator of radio-technical troops, signal specialist (spojovaci specialista) of state air defense. After the completion of the course, you will become a member of the staff sergeant corps. The okres or district military administration will supply you with information on start of these courses.

[Question by Rudolf Bockal, Humenne] In which town are the military gymnasiums located?

[Answer] There are four military gymnasiums in our entire country: at Banska Bystrica, Moravska Trebova, Opava and Prague-Ruzyn. These are selective boarding schools, basic subjects are determined by the curricula of civilian gymnasiums--Czech or Slovak language, Russian language, mathematics, physics, geography, history, chemistry, descriptive geometry, biology and geology, creative arts or music and military preparation. In addition to Russian, students learn another foreign language. The 4-year course at the military gymnasiums ends with the maturita examination.

[Question by Stefan Lambert, Komarno] What subjects are part of entrance examinations for military technical high schools?

[Answer] In the mother tongue--Slovak or Czech--mathematics and physical fitness. Part of the entrance proceedings is also an interview with the applicant. Study at military secondary technical schools lasts 4 years and ends with the maturita examination. Military high schools are in the following cities: Martin--the graduates can perform commander and technical functions in the artillery units, army engineer corps and armament service; Nove Mesto nad Vahom--communication electric engineering (oznamovacia elektrotechnika); Zilina--training of experts for food supply, armament and health service as well as service for motor fuels and lubricants; Valasske Mezirici--command and technical functions for chemical, railroad and highway troops; Nitra--graduates perform technical functions in tank and automobile units; Presov--training of staff sergeants for the function of technicians in engineering-aviation service, radio operators for air force and technicians for weather service for air force; Liptovsky Mikulas--electrical equipment for air defense troops; and Roudnice nad Labem--graduates become members of military orchestras.

[Question by Vladimir Hubka, Bratislava] If I were to start studying at a military technical high school, when would I be called to basic military service?

[Answer] Students at military technical high schools do 5-month substitute military service instead of basic military service. According to the military law, they do substitute military service from 15 February to 15 July in the fourth year of their studies. When the student starts substitute military service, his parents cease to be entitled to family allowance.

[Question by Peter Dzurik, Liptovsky Mikulas] If I am not accepted by the military high schools, can I file an appeal against the decision and to whom should this appeal be addressed?

[Answer] Upon the conclusion of entrance proceedings, the parents are notified of the result. The notification is simultaneously sent to the appropriate military administration and principal of the school in which the applicant finishes his obligatory school attendance. The appeal can be filed by the parents within 15 days of the notification. The appeal is sent to the CSSR Ministry of National Defense through the mediation of the military school which conducted the entrance proceedings. The applicant will be notified in writing of the final decision.

[Question by Jan Jurek, Banska Bystrica] I have heard that 2-year schools for officers [DDS] were abolished in our army. Is this true?

[Answer] You have incorrect information. The DDS are at Presov, Martin, Liptovsky Mikulas, Nitra, Nove Mesto nad Vahom and Valasske Mezirici. The boys trained in blue-collar and agricultural jobs are offered complete high school education with the maturita examination and military technical training qualifying them for performance of basic commander and officer's technical functions. These are boarding schools. The DDS students do substitute military service during the first 5 months of their studies whereupon they are accepted as professional soldiers in the rank of sergeant first class. The monthly income of the DDS student is Kcs 870 in the first year and Kcs 950 in the second year. Following practical service in the units, they continue their studies at the military college.

[Question by Juraj Novotny, Poprad] What is the purpose of 1-year maturita courses and what are the work possibilities upon their completion?

[Answer] One-year maturita courses take place in selective boarding schools. The students acquire complete general high school education with the maturita examination and are prepared for study at military colleges. Registration is open to CSSR citizens from the ranks of blue-collar and agricultural apprentices properly trained up to 20 years of age who meet the political, moral and health requirements and have the required grades. The 1-year maturita courses are organized at the military educational center of the First Czechoslovak Army Corps in Martin and military education center in Liptovsky Mikulas. After completing the course, the students enroll in military college from which they graduate with the rank of lieutenant with an engineer's diploma. For the 1982/1983 school year for graduates with a matura, CSLA will also reopen 1-year schools for officers in the following cities: Hranice in Moravia--motorized rifle shooting (motostrelecky smer); Opava--construction and housing; Liptovsky Mikulas--air defense; Presov--air force commanders. The students will graduate with the rank of second lieutenant with the prospect of continuing their study, after practical service in the unit, at military college.

Schools of Higher Learning

[Question by Ivan Gasparik, Senica] I will submit to the matura examination at the end of this school year. For which military schools of higher learning can I apply?

[Answer] It is a pity that you do not indicate the type of school which you attend and in which field of study you are interested. As a result, I can give you general information only. There is a military college for ground troops at Vyskov in Moravia for study in the following fields: motorized rifle-shooting troops and reconnaissance; tanks; artillery; army engineer and chemical disciplines. At the A. Zapotocky Military Academy in Brno the following fields can be studied: tanks and automobiles; army engineer troops and engineering; armament--technical; armament--electrical engineering; military communication equipment; military computers; geodesy, cartography and weather service. In Bohemia, it is possible to study at the J. E. Purkyne Military Institute for Medical Research

and Advanced Training in Hradec Kralove: general medicine, stomatology and general pharmacy, and in the military department of the Charles University Faculty of Physical Education and Sports. There are five military colleges in Slovakia: Military Technical College at Liptovsky Mikulas with emphasis on air defense, radar and signal troops; Military College of Aviation in Kosice for pilots' training and engineering air service; at Zilina there are two schools: Military College for Securing Rear and Equipment--economics of the army--food, armament, motor fuel supply and financing, and Military Faculty of the Transportation and Communications College--construction and restoration of railroad tracks, military transportation. Bratislava offers the possibility of studying military policy at the Military Political Academy.

General Information

[Question by Pavol K., Dolny Kubin] If I register for study at a military college, will I have to do the basic military service?

[Answer] According to the defense law every CSSR citizen, mentally and physically able, must do service in the state armed forces. Nobody can be excused from this basic service, one of the most honorable duties of the citizen. As a student at a military college, you will do substitute military service during the first 5 months of your studies. Then you will become a professional soldier with all rights and requisites. As is the case at a military high school, room and board and outfit are paid for by the military administration.

[Question by Mikulas Jankovic, Filakovo] What scholarship does the military college student receive?

[Answer] After enrolling at a military college, the student does substitute military service during the first 5 months. Upon the completion of substitute military service, he becomes a professional soldier in the rank of sergeant first class. His monthly income usually is Kcs 900 during the first year of studies, Kcs 1,000 during the second year, Kcs 1,200 during the third year, Kcs 1,300 during the fourth year and Kcs 1,500 during the fifth and following years. Married students receive a special monthly allowance of Kcs 300 for their dependent spouse and Kcs 200 for each of their dependent children. Students graduate from the college with an engineering degree and rank of lieutenant.

[Question by Julius Bakos, Brezno] I have decided to study at the SNP [Slovak National Uprising] Military Aviation College in Kosice, pilot branch. My friends, however, tell me that pilot training in the Zvazarm aeroclub is a precondition for enrollment. Otherwise allegedly I will not be accepted...

[Answer] Although completion of training in airplanes or gliders of the Zvazarm aeroclub is not a condition, applicants who have completed this training are selected on a priority basis. In addition to the basic conditions of enrollment at any military college, the applicant for pilot training must not be older than 21 years, must have complete secondary education, including the maturita examination, and must meet a particularly strict criterion in regard to health. Prior to the entrance examinations, the applicant is invited to the Institute for Aviation Medicine in Prague where, following scrupulous examination, the decision is made whether he is physically fit.

[Question by Jozef Miklosovic, Lucenec] A friend who is studying at a military college praised the material facilities at his school so highly that I suspected him of exaggeration. Are the technical facilities at military schools really so excellent?

[Answer] You have not said what your friend specifically talked about. The fact is that military colleges are located in recently built comprehensive compounds. Their classrooms, laboratories, special equipment rooms and special classrooms are furnished with the most modern aids and equipment. In addition to the educational section, the compound usually contains dormitories and space for cultural activities and sports. The teaching staff has the best specialists of the army in its ranks. All teaching aids, extensive libraries, facilities for various hobby clubs are available to students. It is possible to say that military schools have created all conditions and prerequisites for a harmonious development of student personality.

[Question by Jan Vretenar, Opava] I want to study at the CSSP [Czechoslovak-Soviet Friendship] military technological college at Liptovsky Mikulas. At the present time, however, I am doing basic military service. Do I have the right to take time off for entrance examinations?

[Answer] A soldier doing basic military service has the right to apply for study at military school. If you need time off for entrance examinations, you can be granted an extraordinary furlough. This is a specific case in which the commander of the unit will decide whether your personal absence will not be detriment to combat efficiency and combat readiness of your unit.

[Question by Bozena Karabova, Bratislava] My son will finish military gymnasium by the end of this school year. Does he have a chance to study at the military college of physical education in Prague?

[Answer] The correct name of the school is: the Military Department of the Charles University Faculty of Physical Education and Sports (VO FTVS UK) in Prague. I want to emphasize, however, that the purpose of study at a gymnasium is to prepare students primarily for study at the Military College for Ground Troops at Vyskov in Moravia and Military Technical College at Liptovsky Mikulas. If your son decides in favor of another school, his application will be ruled upon by the gymnasium commander, who will evaluate your son's physical fitness and talents for sports. Oral and written entrance examinations are in biology and social sciences with emphasis on the theory and methodology of physical education. The practical part of entrance examinations consists of swimming, gymnastics, track athletics and some sports games which are specified in accordance with the entrance proceedings every year. During the study at VO FTVS UK, the student must master also skiing and skating. Upon completion of studies, the graduates are sent as physical education instructors to military units, formations, schools and CSLA establishments.

[Question by Lubomir Vojtek, Stara Tura] The high standard of our military medicine is well known. Where do the physicians acquire such broad technical theoretical knowledge and practical experience?

[Answer] Military physicians are educated at the J.E. Purkyne Military Institute for Medical Research and Advanced Training in Hradec Kralove. The study in the department of general medicine lasts 6 years and in the department of stomatology and pharmacy 5 years. The institute closely cooperates with the Medical Faculty of Charles University in Hradec Kralove.

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WRITERS' DEFENSE OF BIERMANN, CONSEQUENCES RECOUNTED

Protest Action's Development, Consequences

Hamburg DER SPIEGEL in German Vol 35 No 48, 23 Nov 81 pp 86-87, 90, 92, 94, 96-98, 101-103, 106, 108

[Article by Karl-Heinz Jakobs, dissident GDR writer in FRG: "'We Will Never Forget Their Big Mouths'—GDR Author Karl-Heinz Jakobs on East German Writers and Biermann's Deprivation of Citizenship"]

[Text] The relationship between the artistic community and the SED regime was severely shaken by the expulsion from the GDR of songwriter Wolf Biermann. 13 GDR artists, joined by hundreds of others, protested against Biermann's expatriation. Numerous writers, musicians and actors left their homeland for good; more than a dozen others obtained permission to take up residence in the West for an extended period of time. Novelist Karl-Heinz Jakobs, one of those involved at the time, provides this account of what the relations between the SED and the GDR writers' community were in the aftermath of Biermann's expulsion. Jakobs, too, is now living in the FRG.

On the morning of 17 November 1976, Heym called up Heramlin to discuss the news item and the commentary that appeared in that day's newspaper. Heym asked Heramlin whether they should not take action to protest the expatriation. Heramlin thought they should but had no idea of what the two of them might actually do. Heym got the impression that Heramlin dreaded the consequences. They hung up without having agreed on a course of action.

3 hours later, Heramlin called up Heym and asked him to come over. He said he had given the matter more thought and now wanted to talk things over. When Heym arrived at Heramlin's apartment, he was surprised to find others of his colleagues already there. Heramlin had prepared the draft of a protest resolution and proposed to turn it over to the French news agency where he had good friends, he said.

Those in attendance said they were prepared to sign the document. Only Christa Wolf asked for 10 minutes to think things over and retired to an adjoining room.

When she came back, she asked whether it would not be preferable to appeal to Honecker directly. This suggestion was turned down on the grounds that such an appeal would have no effect whatsoever. Only a quick and courageous expression of protest over the Western media held any promise of success. It was decided to provide both NEUES DEUTSCHLAND and Agence France Presse (AFP) with a copy of the protest, with the former being given priority on publication.

In order to make sure, a 3-hour embargo was placed on AFP. Christa Wolf argued that the embargo was too short; but her motion did not carry. There followed some discussion as to who else might be persuaded to put his name to the document. When they called up Dr Hacks, he turned them down saying he had not yet taken leave of his senses. Fritz Cremer, just released from hospital on a trial basis, said he would sign. To everyone's surprise, Rolf Schneider just happened to drop in then and proceeded to sign the document immediately.

Gerhard Wolf and Heralin then took the letter they all had signed and drove to sculptor Cremer's house. The only change he suggested was that the words "we demand" in the last paragraph should be replaced by "we ask." His suggestion was complied with and from that point on the protest was turned into a petition. Cremer also said: who are we to make demands on the party.

Gerhard Wolf and Heralin told Cremer several times they had not come to pressure him but merely to talk things over so that he would not say later he had been passed over.

Each time Cremer said: no, don't worry. I am for it. When Gerhard Wolf and Heralin had already said goodbye to him, Cremer called after them: yes, the way the text now reads, I am for it. It is hard to say whether Cremer knew or sensed which way the petition would go.

After they left Cremer's house, Heralin and Schneider drove to the NEUES DEUTSCHLAND building and left the document with the doorman, pointing out to him that it should be brought to the editor-in-chief's attention immediately. In a covering letter, emphasis was made of the significance of the document. After that, Heralin and Schneider took the list of signatures to the Frenchman. It was now exactly 2.30 pm.

By the time the document landed on Honecker's desk it was 6 pm; the embargo had run out a half-hour earlier. By then, the text was already being circulated by the Western media and even if he had wanted to, Honecker no longer was free to make a decision. Lateron, there would be a great deal of dispute concerning this half-hour gap. Didn't the party and didn't Erich himself deserve more confidence than the 3 hours the embargo provided, the minister of culture asked the Berlin writers on 23 November on the verge of tears. The petition, he said, expressly stated that thought should be given to the measure decided upon. How was one to reflect on something with a 3-hour embargo hanging over one's head ? Would it not have been fairer to give Erich at least 12 hours' time ?

Or 24 hours, someone called out from the floor. Or 4 days, cried another. Or 4 years, shouted a provocateur.

By this time, 110 cultural figures had put their name to the petition. The SED leadership, worried about the possibility of the protest's widening, put pressure on the signers to withdraw their names.

Among the 35 writers, there were 10 SED members and one member of the party leadership. For this reason, it became the job of the Berlin party organization above all to get the petitioners to return to the fold of disciplined party members and citizens. Toward this end, four party meetings were scheduled in all, the first one taking place on 23 November.

It became known that the minister of culture promised the aged, ailing Cremer that his imprisoned son-in-law would be released, if the sculptor publicly stated that he was pressured into signing and was withdrawing his name for that reason.

At the first party meeting, the minister of culture very excitedly waved a document on the podium, offering one and all to have a look at it. It stated that Cremer's son-in-law was released 12 hours prior to the time that Cremer declared his signature to be null and void. He kept on waving the document; but no one wanted to read it.

The second party meeting at the Berlin writers' union took place on 26 November. On the next day, Honecker asked Hermlin to stop by and showed him a handwritten slip of paper which contained only one sentence: It was a mistake for us to turn to an imperialist news service.

Honecker then asked Hermlin to sign the piece of paper, saying that he needed the statement for the next plenum of the central committee. He added that he wanted to prevent the central committee from adopting measures which might lead to a confrontation between the writers and the party as in December 1965. If Hermlin signed, he would be able to placate the plenum in the sense that this time the writers were willing and able to work out the situation that had arisen in their union all by themselves.

Honecker asked Hermlin why he had not gone to him directly on 17 November. Hermlin replied by saying he knew that Honecker was at an important meeting at the time and that the petition simply could not be held up. If you had let me know, Honecker then said, I would have come out of any meeting, however important.

At this stage, Hermlin altered Honecker's wording to: it was my mistake...Honecker called his secretary into the room and gave the handwritten paper to copy on the typewriter. Hermlin asked that no carbon copy be made of the typewritten statement which, he said, was meant only for Honecker to present to the plenum.

At the opening of the first party disciplinary proceedings shortly before Christmas 1976, each accused was shown a text signed by Hermlin—whoever approved of it would have nothing to fear. What they did not know was that this text was a fake not identical with the sentence Honecker was to present to the central committee. They thought Hermlin had had a change of heart; but none of them signed the statement.

When Hermlin learned of the bogus text that was meant to sway his five colleagues, he handed a statement to the party leadership of the Berlin writers' union and to SED district headquarters in Berlin repudiating the sentence he had jointly composed with Honecker. A few days later, he repudiated the repudiation of the repudiation.

Party proceedings were also instituted against Hermlin. At the third party meeting, which took place immediately thereafter, he was penalized with a severe reprimand. At this point, he was faced with new proceedings since by repudiating his repudiated repudiation he was indirectly accusing Honecker of blackmail and treachery and both the party leadership and the district organization of falsifying documents.

Everything Honecker and Hermlin talked about and wrote in private has undergone correction several times since. At first, word was that Hermlin had expressly forbidden Honecker to make use of the altered sentence anywhere but in the central committee. But now word is that the content of their private conversation was not reported in full.

The truth is that Honecker did ask Hermlin whether he would permit him to present the jointly composed sentence to the party leadership of the writers' union and that Hermlin agreed.

And when the party leadership had the text in hand, Hermlin was asked whether it could not also be shown to those of his colleagues against whom party proceedings were to begin that day so as to give them a chance to disengage themselves from the petition without losing face.

Hermlin accepted that line of argument. In other words, the way things happened was not the way he said at first—that a bogus text was circulated without his knowing or agreeing to it.

I think the first version is correct. I think Hermlin was subsequently persuaded to accept the second version. If he had indeed agreed to have the paper he had worked out with Honecker shown to his five associates at the start of the party proceedings against them, he would not have had to repudiate his repudiation later on.

Now everyone testifies to the authenticity of the repudiation of his repudiation. And it is a fact as well that new party proceedings were already pending with the aim, this time, of expelling him from the party.

But what need was there to move for his ouster, if superhuman efforts had just succeeded in not having the man who initiated the petition expelled from the party—the author of the petition, the man who had blackmailed Cremer, the man who had handcarried the petition to the French ?

There is no information on the contents of the repudiated repudiation. The new party proceedings were not instituted only because Hermlin later repudiated the repudiated repudiation.

What took place at the third party meeting shortly before Christmas 1976 tends to bear this theory out. Like other meetings of the SED district organization, this one, too, was secretly and undisturbedly recorded on film and on tape.

Originally, the Berlin party secretary, Mr Naumann, had wanted to have the hall secured by a combat group unit, a uniformed, heavily-armed outfit trained for civil war and patterned after the Nazi storm troops. But by the time of the meeting, the party members were so cowed that he could dispense with the plan.

The first two against whom proceedings were instituted were given a reprimand; but Hermlin, the actual initiator of the petition, its author, the man who carried it to the French news service himself, was given a severe reprimand. This was a clear indication of the conciliatory nature of this party meeting. There can be no more severe punishment than that meted out to Hermlin.

The next motion was one calling for expulsion; it was directed against Gerhard Wolf. Now that was the real sensation on that day—when it became apparent that others were to be sacrificed in Hermlin's stead. The man who was most surprised by it was Gerhard Wolf who had just been told by Hermlin that the quasi joint Honecker-Hermlin text shown to him at the start of the proceedings was in fact a forgery prepared by the district organization.

Wolf excitedly urged Hermlin to clear things up immediately; but Hermlin merely shook his head. Gerhard Wolf was expelled from the party. After the meeting, Gerhard Wolf confronted Hermlin once more and categorically asked him to uncover the forgery. But Hermlin told him he could not do that since he had given his word to Honecker that he would keep mum so as not to jeopardize the latter's mission at the central committee.

Wieland Herzfelde brought a bit of levity into the proceedings when he suddenly said he could not understand why Guenther Ruecker was being expelled from the party while the traitor Hermlin was not.

Those who sat next to him informed him that it was not Guenther Ruecker but Gerhard Wolf which prompted Herzfelde to exclaim: that makes no difference to me—they cannot expel Guenther Ruecker and leave Hermlin, the traitor to the party, unscathed.

Once again those next to him try to clear up the confusion by saying that it is Gerhard Wolf who is being expelled but Herzfelde only got angrier. This really is the end, he said: Guenther Ruecker is being ousted and Hermlin who has been stabbing the party in the back for a long time is not.

The original motion directed against Jurek Becker called for striking his name from the party rolls. This new, extremely clever tactical maneuver served to confuse everyone, particularly Gerhard Wolf who thought he was being betrayed by one and all, since he would be stamped as the actual initiator and main conspirator, if he alone were expelled.

This got him very excited but Becker placated him by saying: don't worry, they will expel me, too. He then made a brief, powerful declaration whereupon the original motion was retracted and a new motion made and before he knew it, Becker, too, was expelled. Sarah Kirsch's name was stricken from the party rolls.

The only addendum to the proceedings involving the petition would be the visit of the GDR minister of culture in Moscow. Immediately after the petition became public, the minister of culture was summoned to Moscow. First, he told his Soviet counterpart just who it was that was being expelled: the son of Jewish parents from Hamburg who came to the GDR in 1953 and then made a name for himself by writing poems against the party and its representatives. The minister was then asked how such an unknown could suddenly be catapulted to the center of the world stage. The minister had come prepared for just such a question. He took out a book published in the Soviet Union containing Wolf's name, who was not so unknown after all. The minister of culture later confided to his closest associates that he neglected to tell his counterpart that Wolf's poems were included only in the first edition of the book, having been withdrawn subsequently at the author's own request.

But the Soviet official still could not understand what it was all about. Since everyone knows this official to be an anti-Semite, the minister of culture said: the whole business has become a purely Jewish affair in the meantime. One look at the list would show they were all Jews or at least most of them. The non-Jews were the ones being led astray. In bad times, he said, the Jews were loyal to the party, as the Soviet official knew only too well; but in liberal times they tended to get out of line. But this would soon change.

As for Heym, his involvement could be explained in another way: he had served in American intelligence during the war and, as the Soviet official no doubt knew—once a secret agent, always a secret agent.

The Petoefi circle in Hungary in 1956, the Czech chartists in 1968 and the 1976 petitioners were all alike, guided from the outside, aiming to destroy the achievements of socialism and to establish a Trotskyite (social democratic ? my notes on this subject are not clear) system instead. But in the GDR, he said, the party fought back in time and thereby saved the Red Army from having to intervene. We gave proof to the Soviet Union, the minister said, that stable conditions prevail in the GDR and that we are quite capable of dealing with our problems ourselves.

The idea that the petition was not spontaneous but instigated by outside elements came up soon after it was published as did the idea that its content was only meant on paper to get the expelled poet to come back.

The question is: instigated from what quarter, by whom ? And: what was the real purpose of the petition ?

The way the text was phrased and then was made public, no government in the world —except for a Polish government in a state of extreme weakness—could have ventured to fulfill the demands contained in the document.

This chronology has been written for the purpose of finding answers to this question.

This is how Mr Naumann, the first secretary of the Berlin district SED organisation saw it: It is interesting to see just who comes crawling out of his rat's nest all of a sudden. But the working class merely has to put its foot down hard just once and look at them scurrying back to their holes. We have their number now and we will not forget their big mouths. And all those that don't beat it, we will crush underfoot.

Chairman Goerlich, for his part, views the petition in an entirely different light.

At the first party meeting of the Berlin writers, he had this to say: During the course of 1976, the FRG intensified the ideological confrontation continuously in order to establish a favorable starting position vis-a-vis the GDR at the Belgrade follow-up conference. It did everything in its power to step up the civil rights campaign in the GDR and to incite innocent citizens to leave the country.

Immediately prior to the Bundestag elections, Kunze's book "The Wonderful Years" was published. Among those taking part in the Bochum initiative calling for "freedom of expression—freedom to travel" were politicians like Bahr, Eppler and Schuetz as well as the GDR traitor Heinz Brandt and anti-communists such as Dutschke and Flechtheim.

The aforementioned artist, on whose behalf freedom to travel was being demanded, offered himself as a tool for this provocation. In order to prepare himself for his trip tactically and strategically, he had 14 days time (or is it years ? I cannot decipher the word in my notes). The performance he gave was not a concert but an anti-communist commentary interspersed with songs.

On what occasions, for that matter, did the ARD alter its evening program schedule so radically because of fast-breaking events ? At the time of Adenauer's death, Kennedy's assassination or the events in Hungary ?

There was no applause during Goerlich's speech; nor was there a word of protest. In his case, the question always is whether he believes what he says. In effect, he committed a political mistake which the minister of culture corrected shortly thereafter by taking all the blame upon himself, by stepping into the breach created by Goerlich's overzealousness.

Ever since the currency reform and the establishment of the FRG, it has been the SED's trauma to appear merely to be reacting to the opponent in the people's eyes and not to be able to adopt politically farsighted measures on its own. That has something to do with the fact that it always has something to hide.

The truth is that the SED has been on the offensive ever since it was founded but that its actions were always in contrast to the content of its propaganda. Thus, it denied the existence of the barracked people's police for years in the mistaken belief not to be able to admit it while publicly arguing against the militarization of Germany.

What Goerlich did was to portray the GDR government and the SED as innocent victims of the FRG—employing a line of argument meant to arouse pity but merely succeeding in undermining the leadership role of the party.

Five more speakers in the same vein followed Goerlich and none were applauded. It was as if the audience were paralyzed. Holtz-Baumert asked that the petitioners not be castigated but be helped instead. Everyone was amazed. 3 days later, at the second party meeting, he was to jump up, his voice wild with rage. Kerndl said: from today onward we must try to clear up a good deal of our relationship to each other and to the party.

A woman named Wiebach, whom I did not know, accused the chastised poet of lying. She said that no one had ever been thrown in jail in the GDR for telling a political joke. She said she knew that very well, since she was a court employee. Even she was unable to move anyone to expressing mirth or displeasure. Kamnitzer said he could see people protesting against some perceived injustice. Unfortunately, the petitioners had failed to realize, he said, that the man subsequently banished for good reason had committed serious misdeeds. In fact, he should have been haled into court but that would have unleashed a hate campaign against the GDR. Under the circumstances, it was best to expatriate him.

All of those who took the floor appear to have been motivated by the painful desire to justify the actions of the party, to plead for understanding.

Noll said he thought the party had played the enemy's game by expatriating the man. Perhaps, he said, the matter should have been thought over but once the ultimatum was out, there was no way back. How can we possibly get back together again, he cried saying that he did not know what was to be done.

For the first time that afternoon there was a reaction from the audience. You have been in the party for 30 years now, Li Weinert shouted; you ought to know what is to be done.

Everyone turned around to look at her; everyone stared at her without saying a word.

When Anna Seghers went to the lectern, she was received with long, loud and cordial applause. It almost seemed that the interruption from the floor had awakened those in the hall from their stupor.

There were many who did not join in the applause. She has always openly said what she thought and driven the functionaries to distraction. Even when everyone else was silent as they were on that day, she spoke her mind.

But anyone who believed he might join her side was disappointed. On that day, she did not resume her seat after delivering her speech, which was a tough one for the functionaries to take, but smiled to the left and the right and then waved and made her way slowly home. It is said that she escaped two assassination attempts by hair's breadth while in exile in Mexico.

Hermlin was her friend, Seghers said; he still was—just the same, she had to criticize him. The worst part of it is, she said, that my friends gave the letter to the foreign press. How could my best friends be so stupid ? There has been a lot of duplicity over the last few days, she said. My friends have cheated and the functionaries, too, have cheated.

My friends cheated on the question about which agency they contacted. Did they contact the West German agency ?

Hermlin: No.

Seghers: To the French agency ?

Hermlin: Yes.

Is it true, Seghers asked, that one cannot debate issues all the way through in our country. There was no doubt that the expatriated poet had great talent; nor was there any doubt that his was a dangerous talent. He was like a Brazilian macumba that bewitches people. Now, she said, he will run completely out of steam.

Is there no way of talking things out in our country, Seghers asked over and over again. Why was this terrible ban on performing and publishing slapped on this young man ? Why wasn't a way found after the 8th party congress to get closer to this man and to settle the matter peaceably ?

Why didn't anyone speak to him before he left for Cologne ? Every little songstress who wants to go abroad cannot leave until her program has been expressly approved. But this man was permitted to leave without a word. Why ?

Or was all this part of a plan ? Did one hope that Biermann would make some gaffe in Cologne ? Was he let out for that reason ? Could all this have been part of a plan to silence an opponent of some stature ?

At that point, there was a third reaction from the floor. It was Gotsche, red-faced, with beads of perspiration on his forehead, shouting something. I could only catch one word but would not want to repeat it here because I cannot attest to his having said it. It had something to do with firearms. There were frightened faces all around.

Seghers turned to him directly, even taking two small steps in the direction of where he was sitting. I know you, Gotsche, she said. I have told you before that you are harmful to the party. What you have just said also is harmful to the party.

Why didn't you get in touch with me until after the whole business was over, she asked. Young people come to my house and ask: who is there that will still tell us the truth. I do not think, she said, that you functionaries have any idea what is really being said in people's homes.

The petitioners should not be punished, she said pointing out that many valuable people had added their names to the petition trusting in the good name of the original signatories, in their sincerity and sense of responsibility. Any punishment of the original signers or of those who joined in later would severely damage the party.

The worst appeared to be over, she said. The content of the petition had changed in a strange way. It was as if the request to let the banished poet return had never been made.

By now, she said, it is merely a question of whether it is right to punish the petitioners or not. None of the speakers bothered to note that the new "free choice of domicile—freedom to return" initiative was more or less identical with the contents of the petition.

A Mr Klein, whom I did not know, deplored the fact that the party was always concerning itself with critics and dissidents but never with authors who hewed to the party line. Henniger came up with an insipid tirade saying that it looked as if the petitioners were worried about their bank accounts in the West. Heralin took the floor to speak without emotion about Heine, himself and the history of the petition.

The debate began to fall apart; there was little left to say. Just then the minister of culture rushed to the lectern with such a burst of speed he almost fell. He said he had been behind the move to expatriate Biermann for some time. No one else but he was responsible for what had happened. He listened to Biermann's Cologne performance on the radio and subsequently urged that the matter be expedited.

This was a matter being debated at the highest levels of the party for a good while. Its eventual outcome predetermined, it was to be made public most expeditiously.

This would seem to indicate that they meant to let the man dangle a while longer; to await the end of his tour; to wait for him to provide more proof.

But what if only his first performance could be characterized as an "anti-communist commentary interspersed with songs" with a bit of imagination ? What if he restricted himself to pure anti-fascism thereafter ?

Then the whole plan would be for naught. It was known at any rate that the songwriter had been pressured by friends. Originally, he had assembled an anti-fascist program but his friends had thrown it out saying that he could not hope to make a hit that way in his first appearance in 13 years over there.

Later, the NEUES DEUTSCHLAND commentator was hard put to characterize Biermann's continuous praise of communism as "massive attacks against our socialist state."

The actual outcome of this party meeting then was the involuntary admission that a trap had been laid for the songwriter. Everybody knew it but no one was willing to admit it.

When Peter Edel strode to the lectern, several people groaned in dismay. Everybody knew what was coming; no one listened but everyone looked at his mouth suffused with white foam. The foam, however, is not the result of anger but of plaster of paris, since Edel, also known as an artist, uses that substance to make a new cast of his teeth every morning for fear of having to see the dentist.

With regard to Hermlin, there were two groups of party and cultural leaders irreconcilably opposed to each other. The one group wanted to punish the man for something he had done and the other wanted to reward him for something in which he might not knowingly have participated.

I have already mentioned which of the two groups carried the day at first: they let him off with a severe reprimand. Later, he was given the patriotic order of merit in gold.

After the minister of culture accused Hermlin of having blackmailed ailing Cremer —a fact Cremer testified to expressly in a letter to Hermlin—he went on to cite other misdeeds of his high-ranking opponent charging him with collaborating with the enemy and having sold out to the enemy.

Under Stalin, either accusation would have sufficed to hand the man over to the firing squad. But times are different and for that reason the minister of culture had to come up with still more evidence.

At the PEN congress in London, he said, Hermlin had voted for an American resolution censuring the Soviet Union at a time when the imperialist powers were engaged in a world-wide offensive against the socialist countries.

Later, Hermlin defended himself in a long, halting speech. Soviet writers had been sentenced and deported for having their works published abroad. That is what the American protest was about. He had voted for the resolution to show his support for the imprisoned Soviet colleagues. He had felt justified to do so, since Amnesty International for the first time had not included the GDR in its annual report citing countries whose citizens were being persecuted for political reasons.

The minister of culture also pointed out that Hermlin had joined the West Berlin academy of arts and sciences without first notifying the minister. He had only mentioned it in passing once it was a fait d'accompli. In this regard, he had acted even more shabbily than Kunze who did ask for the minister's approval prior to joining the Bavarian academy of fine arts.

By using a rhetorical trick, the minister of culture succeeded in making it appear that substantial payments were part of academy membership, forcing Hermlin to point out that the West Berlin body does not pay out funds in his rebuttal.

All this, as I have said, was discussed on 23 November 1976. 150 authors put in an appearance at this party meeting and were forced to witness a peep show by their party and cultural elite.

No mention was made of the fact that Juergen Fuchs had already spent 4 days in jail for having added his name to the petition, thereby placing his trust in the sincerity and sense of responsibility of the original signers.

Nor was any mention made of the fact that the two songwriters Christian Kunert and Gerulf Pannach had spent 2 days in jail by then.

Or that young poets and poetesses, whether they signed the petition or not, were fearfully rushing from place to place hiding their manuscripts while being pursued by state security agents in automobiles.

All this was known and was being passed on by word of mouth during the intermissions; but no one dared to shout it out in anger or to ask that the persecution be reconsidered.

That evening I said to Christa Wolf that Fuchs sent me his poems a month earlier. What do you think I should do with them, I asked. Burn them, she said.

This account includes a good deal that may sound melodramatic or like political pornography. Later on for instance, I will copy the following entry out of my notebook: "At that point, he started to cry. He rubbed his eyes, swallowed several times and began to leave the podium. He took a few steps and stopped, lowering his head. It seemed he could not go on—he was so deeply moved. But applause here and there in the hall made him return to the empty lectern."

That is how I will later present details of the drama in order to give an impression of the general mood and the fight itself. I can even say how long the individual scenes lasted, since the events had such a sobering effect on me that I was able to consult my watch and time them.

The one who led the fight to punish Heramlin was the minister of culture; the one who led the fight to reward him was Hermann Kant. The former bet everything on the first meeting on 23 November; the latter bet everything on the second meeting on 26 November.

On 26 November all petitioners were present with the exception of Christa Wolf who suffered a heart attack on the way to the meeting.

The minister of culture had this to say: who counts the heart attacks that we all suffer ?

At the previous party meeting, Bengsch had announced he would address this one. He proceeded to analyze the situation as a counter-revolution that has collapsed.

Those who signed the petition, he said, wanted to establish a social democratic platform in the GDR. They had revealed themselves as remote control tools of the SPD. It was thanks to the resolute action by the party that the attempt to create social democratic conditions in the GDR was thwarted.

He also told the audience what price the banished poet had set on betraying the GDR—it ran to six figures.

A woman named Steineckert related that she saw level-headed, grown people in the street in the past few days who broke down and cried about the fact that a mere dozen authors had succeeded in maneuvering the party to the edge of the abyss. She had also heard people say that the German lied would wither away for 100 years now the poet and singer was banished.

But she pointed out that this will not happen—neither in 50 years, nor in 10, nor even in one year or one day. No doubt she had access to a whole brood of song-writers. She then recounted intimate details concerning her long-standing friendship with the banished man whom she called an unprincipled cad.

Every effort made by the cultural authorities to approach him were turned down by him maliciously, she said. She then quoted him as saying he did not want to publish in this god-forsaken country. He wanted to go to jail instead, write a prison diary and receive the Nobel Prize.

He called Ernst Busch a senile old goat; he wrote a long poem composed of critical remarks by others and then sent a tape of it to the minister of culture, denouncing some of his best friends in the process.

By this time, there was no more mention of thinking things over, of reflecting on them or of thinking as such. A deluge of rhetoric went cascading down on the assemblage. Baierl and Hauser just talk and talk. Eva Strittmatter was given the job of defending the resolution to be passed. One could see how hard it was for her; there were red blotches all over her face and later that evening she would have a crying fit.

The petitioners then went into lengthy explanations of what they don't like about the party, what the party has done to them and why they could not, cannot and will not keep silent any longer; how they came to join the party and what they expected of it.

Once upon a time, Kunert said, Dr Bauer told me: you may not be able to finish off the party but the party can certainly finish you off. Dr Bauer, who sat with the presidium, just smiled and shook his head as if to say: what a bald-faced lie. In fact, it was not a bad acting job at all.

Hermann Kant jumped to his aid. Dr Roland Bauer is my friend, he cried; I believe him rather than Kunert. No one rose to protect Kunert from this attack by two of the most notorious hatchet men

Gerhard Wolf then quoted from a letter his wife had written to the party: Once upon a time, a leading party member told me you can compose a fiery protest against the war the Americans are waging in Vietnam but we will not publish it. Once again Dr Bauer shook his head—in someone else's stead this time because he was not even the one under attack.

At that point someone else should have shaken his head—someone the audience might really have trusted. Under the circumstances, everyone could tell that things were indeed the way Wolf had just quoted. Dr Bauer's vehement denial gave proof of the fact that the incident had been correctly reported.

These were recollections by Kunert and Wolf dating back to the somber December of 1965 when the party cracked the whip over the best of its poets and silenced them for years. Everyone of us has similar recollections.

So does Hermlin who on another occasion elsewhere told of how he was not permitted to go to the West and when the permission was finally granted, how he was summoned by a high cultural functionary who said to him: we can deal with you as we did with Bishop Scharf. You can take your trip now but when you want to come back, perhaps the door will be closed for you.

It is pretty much as I said. Anyone who signed the petition did not do so in order to bring a banished poet back into the country. There are a lot of imponderables in cases such as these. 10, sometimes 15 or 20 years of tacitly suffered injustice are reflected in a little, innocent piece of paper that later goes by the name of petition. The party knows what is in store when it takes a look at the names of the signers. But it also knows the human beings behind the signatures and it knows this particular person must be treated in such and such a way to obtain such and such results and this other one must be treated differently—each according to his individual character.

There were lots of farewell speeches on this 26 November. When Hermann Kant mounted the podium, Ruth Werner clapped demonstratively. She clapped and clapped but no one joined in the applause.

Although it seemed somewhat unmotivated at first, he started to philosophise about friendship in general and about his friendship with Hermlin in particular. Friendships are like that, he said—one fights with each other; one does not see each other for a while sometimes, but in such friendships there never comes a moment...

The audience crouched and listened; people looked at each other questioningly as if to say: I can't trust my ears or maybe I've come to the wrong meeting; maybe this is the boys scouts. Is this man on the podium really forcing us to listen to him ? Is there no one who will get up and take the microphone away from him ?

No one dared. The machinery of this meeting was too well oiled for that. Kurt Stern had said he would have signed the petition too, if he had been in the country while it was being circulated. In response, Hauser shouted clear across the hall: I don't understand, Kurt. Does that mean you want to be expelled, too ?

That was the kind of language being used on that 26 November— that language and the language of the man on the podium.

Kant went on to say he had just returned from Moscow and his first concern was for his friend Hermlin. He could not describe his deep satisfaction upon hearing that his friend had disassociated himself from the course the petition had taken to the imperialist media. He had learned that Hermlin called it a mistake to have gone to the imperialist news service and that he would bear the consequences for this act, if asked to do so.

Kant used even more moving language to describe the decades-long friendship and the sorrow which took hold of him when he heard of Hermlin's terrible blunder. He was close to tears; he wiped his eyes, swallowed several times and began to leave the podium (4 seconds). He then took a few steps, lowering his head and stopped. It seemed he could not go on—hewas so moved (7 seconds). But applause here and there in the hall made him return to the empty lectern (5 seconds).

This is how Hermlin was saved for the GDR. He himself later corrected Kant's interpretation of the fateful sentence. He had not said: it was my mistake that we turned to the imperialist news service. That was the wording contained in the handwritten note for comrade Honecker. The sentence my friend Hermann Kant was referring to, he said, pausing momentarily to fight off tears, actually read: if it was a mistake for me to...then I am ready to accept the consequences.

In this fussy manner he corrected Kant's version but who was there in the hall that could still perceive and see through the fine web of duplicity.

At the same time that these semantic games were taking place, 40 Jena workers and students had already been arrested for having signed the petition trusting in the good name, the sincerity and the sense of reponsibility of the original signers.

And at that very moment the name of the poet Bernd Jentzsch was added to the list of wanted persons because his open letter to Honecker had become public. He was the first of more than 100 writers and artists who managed to cross over to the West from the GDR over the next 5 years.

Writers were smuggling their notes and manuscripts across the border and those that could not either buried or burned them.

In state security interrogation rooms, works of art, diaries, manuscripts, letters, sheet music and phonegraph records were piling up.

And so Kant assumed power. Until then, Erwin Strittmatter and Christa Wolf were considered the only two possible candidates for the post of president of the writers' union once it was announced that Anna Seghers was ready to step down.

After Kant rescued Hermlin from the threat of having to emigrate, he also saved Christa Wolf's skin a few weeks later who insisted on being punished like her husband through expulsion from the party. In influencing her, he employs somewhat crude methods, telling her he just could not stand all these ugly faces around him. He would become more and more isolated in the process, he said; he would rather have honest faces around.

The ugly faces he was referring to are those of Gotsche, Neutsch, Abusch, Schulz, Noll and others. He then proceeded to work on Christa Wolf until he had weakened her powers of discernment sufficiently for her to make a statement the import of which she seemed not to realize. Under the then prevailing conditions, she said, the document we composed in Hermlin's apartment and subsequently on 17 November represented the only conceivable possibility to react to a state of affairs she had come to view as unjust. But this procedure could not be repeated indiscriminately.

This is what she said on a January day in 1977. Hermann Kant jumped up and applauded her.

Writers' Petition

Hamburg DER SPIEGEL in German Vol 35 No 48, 23 Nov 81 p 87

[Inserted text of 17 November 1976 open letter signed by 13 GDR writers: "The Petition"]

> [Text] After Wolf Biermann had performed songs critical of his homeland at a concert in Cologne and the GDR had abrogated his citizenship for that reason, 13 East German writers and artists addressed the following open letter to SED chief Erich Honecker on 17 November 1976:

Wolf Biermann was and still is an irksome poet—he has that in common with many a poet of the past.

In recognition of the argument contained in Marx'"18th Brumaire," which states that the proletarian revolution must constantly be criticizing itself, our socialist state should, in contrast to anachronistic social systems, be in a position to tolerate such irksomeness with deliberative equanimity.

We do not identify with every word and every action of Biermann's and disassociate ourselves from attempts to make use of the events surrounding Biermann against the GDR. Biermann himself has never left any doubt, even while in Cologne, about which of the two German states he favors—all his criticism notwithstanding.

We protest against his expatriation and therefore ask that the measures adopted be reconsidered.

[Signed] Sarah Kirsch, Christa Wolf, Volker Braun, Franz Fuehrmann, Stephan Hermlin, Stefan Heym, Guenter Kunert, Heiner Mueller, Rolf Schneider, Gerhard Wolf, Jurek Becker, Erich Arendt, Fritz Cremer.

List of Main Personalities

Hamburg DER SPIEGEL in German Vol 35 No 48, 23 Nov 81 p 90

[Inserted name list: "The Protagonists in the Biermann Affair"]

[Text] Erich Arendt, 78, member of the GDR academy of arts.

Roland Bauer, 53, member of the SED central committee; until 1978, secretary for science, popular education and culture for the SED district organization Berlin.

Jurek Becker, 44, author ("Jacob, the Liar") has been living in West Berlin since 1977 on a permanent GDR visa.

Volker Braun, 42, author ("Unfinished Story") and dramatic adviser; member of SED.

Fritz Cremer, 75, sculptor, SED member, vice president of the GDR academy of arts.

Franz Fuehmann, 59, author, member of the GDR academy of arts.

Guenter Goerlich, 53, chairman of the Berlin section of the GDR writers' union.

Stephan Hermlin, 66, member of the PEN presidium, vice president of the international PEN Club.

Wieland Herzfelde, 85, university professor and writer, honorary president of GDR PEN center. From 1917 to 1933 co-founder and director of the Malik publishing house in Berlin.

Stefan Heym, 68, author ("Collin") was an American citizen until 1951, has lived in the GDR since 1952.

Hans-Joachim Hoffmann, 55, GDR minister of culture.

Hermann Kant, 55, since May 1978 president of GDR writers' union, member of SED district organization Berlin.

Sarah Kirsch, 46, lyric poet, left GDR in 1977, has been living in West Berlin since.

Guenter Kunert, 52, writer, member of GDR PEN center, has been living in FRG since 1976 on a 3-year visa.

Heiner Mueller, 52, dramatist ("Philoktet").

Guenther Ruecker, 57, writer (mostly of radio plays), member of GDR academy of arts.

Rolf Schneider, 49, writer, presently working as dramatic adviser in Mainz, has permanent GDR visa. In 1979, Schneider published a novel entitled "November" in the FRG dealing with Biermann's expatriation. The book was not published in the GDR.

Anna Seghers, 81, chairman of GDR writers' union from 1952 to 1978; presently honorary president of same organization.

Kurt Stern, 74, member of the presidium of writers' union and of GDR PEN center.

Christa Wolf, 52, writer, member of presidium of GDR PEN center and of academy of arts.

Gerhard Wolf, 53, writer ("Poor Hoelderlin"), member of GDR PEN center, husband of Christa Wolf.

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DISSIDENT WRITER DISCUSSES STEFAN HEYM'S LATEST WORK

Hamburg DER SPIEGEL in German Vol 35 No 45, 2 Nov 81 pp 240, 242, 243, 246

["Jurek Becker on Stefan Heym: 'Ahasver'--The Wandering Jew Is Never Silent'—Review by Jurek Becker of "Ahasver," book by Stefan Heym, published by C. Bertelsmann Verlag, Munich; 320 pages, DM34.00. A translation of an interview with Stefan Heym by DER SPIEGEL editors in West Berlin is published under the Heading, "Stefan Heym Discusses Socialism, 'Abgrenzung,' Censorship," in JPRS 77013, 16 Dec 80, No 1834 of this series, pp 6-17]

> [Text] Novelist Stefan Heym ("Collin"), 68, who emigrated to East Berlin from exile in America in 1951 was expelled from the GDR authors' league in 1978; since then his books have been published only in the West. Author Jurek Becker ("Nach der ersten Zukunft"), 44, lives as a GDR citizen in West Berlin.

For a long time after Stefan Heym had published his novel "Collin" little attention was paid to the book until a strange event took place: because he violated the GDR's foreign exchange law, justice there presented Heym with criminal proceedings. And before you knew it the flop turned into a best seller because the book trade does not hesitate for long. It must be feared that the GDR authorities will not let themselves become involved again in such a generous gesture. That would be a great pity because "Ahasver" is far more deserving of getting on the list. It has become a magnificent book.

The author's basic idea is to act as if his story were dealing with factual materials, as if he had succeeded in gaining access to documents which finally shed a little light on certain events: what the facts of the devil's existence are, what artifices the devil uses in order to blur the lines between good and evil and right and wrong, in which direction hell is presumed to be, and the like. Anyone who doubts facts cannot be helped.

On the other hand, the author is naturally telling a story, this is nowhere denied, stories have their own logic which is not as simple as that which holds for everyday logic; factual material from the world of literature is of a special quality which can scarcely be precisely characterized. If someone were to come

along with the surveyor's rod of science, with historical proofs or excavations or the standards of probability, he would only make a fool of himself and stand out as someone who did not comprehend the nature of the thing. For stories cannot be right or wrong, but only good or bad.

Ahasver was a Jewish shoemaker, Via Dolorosa, Jerusalem. When Jesus, while dragging the cross to Golgatha, came to the shoemaker's house and stopped in order to rest there, he chased him away from his door. Jesus cursed him, Ahasver was condemned to wander on the earth, restlessly, until the Savior's return. The shoemaker Ahasver developed into the Eternal Jew, in the course of the centuries he repeatedly reappeared, in varying guise, in various parts of the world, and was recognized without any doubt by witnesses. In times when there was less mistrust than there is today, deceivers exploited the good belief in the legend, pretended to be the Eternal Jew and collected charitable gifts wherever they were trusted.

Stefan Heym used the real Ahasver as the model for an imposing new invention. His Ahasver, a fallen angel, does not simply reject the Savior in a narrow-minded way, but rather has reasons for doing it. He loves him, he is prepared to tear himself apart for him, he implores him to resist, to lay down the cross, to take the sword and fight against his tormentors. But Ahasver is not ready to yield against his conviction: this is the issue. He says: "Do you believe that it makes any difference to him up there if they drive nails through your hands and feet and let you die on the cross bit by bit? He made man as he is and you want to change man through your miserable death?"

Heym's Ahasver is one who refused to submit, who is not a sufferer like Jesus, but rather a subversive and revolutionary. He says to the Savior: "Rabbi, your humility sickens me." For that reason he refuses him the small bit of help, as a final argument, or, since all arguments are to no avail, out of disappointment. In return he must wander restlessly and eternally; and so? That does not amount to much in a world which is like it is, rather, he is more at home nowhere.

His attitude is stubborn and uncompromising, like that of the author. Although never impolitely, he gives no consideration to those who might be especially affected by stories of this kind. In church circles this may lead to irritations and opposition, no different from party circles.

A second part of the book, it could be called the present-day section, takes place at the time of the Reformation. Protestantism has taken hold in parts of Europe, an originally rebellious, revolutionary movement is established and itself becomes the authority. The ideals under which the whole thing was started decay, those newly in power oppress and blackmail and persecute in a manner no worse than their predecessors. From a distance the differences blur, naturally that is not so crude with Heym.

He tells a mysterious story. A Paul von Eitzen, an average person from Hamburg who as a young man believes in authority is successful in a nice theological career in the 16th century, he manages to become superintendent in Schleswig. The reader can, but does not need to, take note of the fact that there really

was a Paul von Eitzen and that he resembles the one described. It is a luxury which the author allows himself, also an example of the cited coexistence of facts and bold assertion, the artistic piece of an inventor with rich resources.

In any case, on his way through life Eitzen experiences wonderful support. A certain Leuchtentrager, a chance travelling acquaintance, is infatuated with the pale young man and helps him in such an effective manner as no other could: he lets him pass tests with brilliance, he has sermons occur to him, he sets his loins on fire and is always there when he is needed. We the readers early come to the conclusion that this Leuchtentrager is not a being like you or me. From the way he walks (he limps), from the way he smells, from the way he arrives; mostly he does not even arrive, but rather is simply there. Thus, the devil, the only natural explanation.

He sponsors Eitzen, he elevates the dogmatist to high rank and honors so that he can represent Luther's teachings as a horrible judge. Thus, the Reformation takes on an appearance which its own founder will not ever recognize, the devil has had a hand in the matter. Finally, he arranges the meeting of Eitzen and the Eternal Jew. Ahasver, the changer, and Eitzen come across each other in many chapters. Anyone who makes such revolutionary speeches as Ahasver does not have the right to live in Superintendent Eitzen's opinion; and Eitzen has a lot of pull, clerical pull, which is also the influence of the state. Ahasver is condemned to death, but he has even more pull. We know he cannot die until Jesus returns.

About 20 years ago Anna Seghers wrote: "Can the devil once again become independent in a writing in our time? Not devoid of power, but without devil's attributes--he still often appears like that in art, as sort of a carnival ghost--but rather in full possession of his power, as a genuine symbol of negation. Can the devil once again be presented in an authentic manner, after Dostoyevski and Thomas Mann, as a reflection of a terribly tempting doubt which bewilders people today?"

The answer to this can be "yes," Heym has written this book, only he did completely change one condition of Segher's requirements. His devil, Ahasver's constant companion, is absolutely not the symbol of negation; he is not a "part of that power which always wants evil and always creates good," and not the spirit which always negates.

Leuchtentrager has thought up a more diabolical method: he supports people in their fruitless strivings. He affirms. He helps to preserve the God-ordained order because he sees that he could never establish a more wretched order. He enters service with the authorities and together with them hinders change, in this sense he is the opposite of Ahasver. Heym has given the figure a new dimension via the epistemological component: the devil Leuchtentrager is a participant in social events, as a reactionary.

In 1980 a learned correspondence is carried on concerning the existence of Ahasver, and though not stated, also concerning the existence of the devil; this is the third section of the book. Those involved in the correspondence

are Prof Dr Dr h.c. Siegfried Beifuss, director of the GDR Institute for Scientific Atheism (which does not exist), and a professor from the Hebrew University in Jerusalem, who answers to the already familiar name of Leuchtentrager. Both have worked on Ahasver. But the one has the advantage of knowing Ahasvar personally, and we know which one. Ahasver, he claims, still lives today as a shoemaker in Jerusalem, Via Dolorosa.

The author's original purpose with the correspondence may have been to introduce the unschooled reader to the material; for who is an expert in the matter of the Ahasver legend? The result of this didactic intention (to the extent the assumption applies) is a pleasure, a mixture of scientific discussion, false friendliness and malicious wit. Experts exchange their views, draw conclusions only from facts which they reveal to us so that we do not have to grope in the dark; thus, the reader himself reaches conclusions. In addition, there develops a base satire on the intellectual atmosphere of a country which is in no way denegrated if it is termed repressive and moldy.

At first it is hard to understand how a relevant dispute can develop here: rarely did it seem so obvious who was right and who was wrong in a dispute. Just let somebody come to me and try to claim that a 2,000-year old Jewish shoemaker lives right around the corner from him, in fact, the very one who at the time refused the shade of his house to Jesus!

Yet in an obscure way that which every day is held to be true and just is invalidated, reality ceases to be reality. It changes into a condition in which the other rules hold, the tricky or cabbalistic ones. We learn to understand the incomprehensible, indeed, to view it as the only meaningful thing. Our experiences are multiplied by minus one.

On New Year's Eve night 1981 Dr Siegfried Beifuss is suddenly no longer there; two foreign gentlemen visited him without having passed the GDR border crossing points, and only two specific people were in a position to do that. In Beifuss' apartment, Leipzing Street, near Checkpoing Charlie, ninth floor, there is a hole in the wall; the two gentlemen disappeared with the director of the Institute for Scientific Atheism and only a touch of sulfur remained behind. The state organs stand perplexed in front of the hole and do not comprehend what happened there. But we, smarter by one book, can only wonder what there is not to understand about the matter when the state of affairs is so unambiguous.

It seems strange to me to maintain that Stefan Heym in telling the story of Ahasver is reporting about his own life. When should he have ever turned the Savior away from his door, and after all, he is not so old either, and in what different shapes should he have appeared? Nonetheless, it could be answered that it is not a matter of a photograph, and also that other, no less important details support the assumption.

Nonetheless, Heym is also an old Jew who does not look his age and he, too, has been knocked about, persecuted, punished, called names, and nowhere properly tolerated. He, too, has little cause to feel at home. Yet mainly he has not lost hope and thinks that it must still be possible to make something out of the world. Two agitators who continuously receive a thrashing and who not on their lives give any peace of mind.

It would be a mistake to read "Ahasver" in such a way as if behind each word a different one had to be suspected, the one that was really meant. The search between or behind the lines will not enhance the value of the book, there is enough in the lines.

Of course "Ahasver" has a secret, as does every art, I would like to say, a mysterious one that attracts the reader. He must open himself to the mystery and not try to check up chapter by chapter. That is no doubt how the book will be read in the GDR Ministry for Culture before deciding not to print it; yet others should not read in this way.

When Ahasvar explains to the Savior "that truth is not located in any central places, but rather is visible to anyone who wants to see," then there is nothing to convey. The author clings strictly to this proposition because his book is unbelievable, but true.

Recently Stefan Heym said that God had helped him write down "Ahasver." I am completely convinced of it.

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ROLE OF STATE IN MOVEMENT TOWARD COMMUNISM

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[Article by Ion Ceterchi: "The Romanian Communist Party's View Regarding the Role of the Socialist State in Creating a Multilaterally Developed Socialist Society and Advancing the Country Towards Communism"]

[Text] The question of the state and its nature and role in the process of socialist revolution and the building of socialism and communism has a special theoretical and practical significance, a question to which the Romanian Communist Party accords a great importance.

As is known, the transition from capitalism to communism goes through different historical stages characterized by radical transformations of a structural and superstructural nature. During the course of this process, the socialist state is born and developed, changes take place in the social essence and basis of state power and the organization and functions of the state are improved and continually adapted according to the requirements of the each stage of society's development. For its part, the state exercises a significant role in the achievement of these transformations. Under the leadership of the communist party, the state constitutes a powerful political instrument for the creation of the economic and social structures of the new order and its ideology and for the conscious, scientific guidance of the giant effort of building socialism and communism.

The theory of scientific socialism reveals the cardinal significance of the workers' acquistion of state power, led by the working class, in order to ensure the victory and carrying out of the socialist revolution. The historical experience of the revolution and the building of the socialist order. although it is a view in the perspective of history that can be measure merely in decades, demonstrates that only by creating a new and powerful state that is superior and radical different in its social essence and the content and forms of its activities compared to the preceding types of states can the working class guide and organize the fulfillment of the complex historical tasks of building socialism and communism and raising society to higher levels of civilization and culture.

In the context of the contemporary ideological struggle, an important place is held by dealing with the question of state power, a view which each working class party forms with regards to the place, role and essence of the state under the conditions of the socialist order. Both the revolutionary parties of the working class in the

non-socialist countries, which are called upon to organize and carry out the struggle of the masses to bring about certain democratic and revolutionary changes in the direction of socialism under the conditions of the capitalist order or in numerous "third world" nations, and especially the governing communist parties in the socialist countries, which are at different stages of socialist construction, must formulate and specify their position with regards to the political system of the new order and especially with regards to the place, role and essence of the state within the framework of this system.

It can be said that today the position with regards to the role of the state and the concept about the characteristics of political power in socialism are the touchstone for the programs of the communist and workers parties and the subject of broad discussions. There is an even greater responsibility for the communist parties in the socialist countries, where the problem also has a direct practical aspect with consequences on a domestic and international level, with socialism having to prove in practice its superiority over the non-socialist political systems. Nothing can be more damaging than a rigid, dogmatic and non-creative attitude in this regard. On the contrary, the communist and workers parties must have a creative attitude by which they can develop and enrichen revolutionary theory. Comrade Nicolae Ceausescu points out: "The fundamental problem under the conditions of the contemporary era, which is characterized by the rapid development of the forces of production, by the broadest technical-scientific revolution and by a giant leap in human knowledge, is the continuing enrichment of scientific socialism and the growth of each party's contribution to the development of our revolutionary theory in accordance with the imperatives of the development of human society and social practices. Only in this manner will the communist parties and the revolutionary movement be able to even more powerfully develop and fulfill their historical mission to revolutionarily transform the world and ensure peace."[1]

Beginning with the realities of our country and with the materialist-dialectic analysis of economic, social and ideological transformations that are taking place in Romanian society and keeping in mind the relationship of forces on the international level, the Romanian Communist Party and its secretary general, comrade Nicolae Ceausescu, have formulated a clear position with regards to the socialist political system, the role and place of the state in this framework, the characteristics of state power, the relationships between the party as a leading political force in society and the state, between the state and mass and public organizations and between the state and the popular masses, and the relationship between the state and the citizen. Synthetically formulated, this concept is presented in the Program of the Romanian Communist Party in the following terms:

"The party begins with the materialist-dialectical and historical concept which says that the state is a product of the division of society into antagonistic classes that will gradually disappear as the classes disappear, as society is homogenized and as the unified working people of the communist society are created. We have in mind that during the period of building a multilaterally developed socialist society and advancing towards communism the state has to fulfill an important

role in the organization of all economic and social activities. At the same time, keeping in mind international conditions and the fact that there still are countries in the world with different social systems, the state has important tasks in defending revolutionary gains and the independence and sovereignty of the country. Certainly, depending upon specific conditions, during one period or another there will be greater stress on a certain facet of the state's activities, but under any circumstances its role will increase in the scientific organization of economic and social activities."[2]

On the basis of this concept, springing from a dialectical approach to the state and from the study of its synamics, we find that in the more than 3 decades since the full acquistion of power and the establishment of the people's republic the Romanian socialist state has passed through different stages, being subjected to certain profound changes. The role and functions of the state have been developed and its organization and activities have been improved, adapting to the requirements of the different stages of the development of society.

Generally, it can be said that the stages through which the Romanian socialist state has passed correspond to those experienced by our society after the victory of the socialist revolution.[3] Thus, the period of going from capitalism to socialism generally corresponds to the stage of development of the state from the proclamation of the people's republic (1947) to the triumph of socialist relations throughout the entire economy and the creation of a unified socialist economy, which on a political-juridic and legislative level was expressed by the adoption of the Constitution of victorious socialism on the basis of the principles and theses formulated by the Ninth Party Congress in 1965. There then followed a stage of consolidating the socialist gains, covering the period between the Ninth and Tenth Party Congresses. After the Tenth Party Congress (1969), we entered the current stage of creating a multilaterally developed socialist society, a stage that will cover, as is known, a period of several five year plans, while, at the same time, preparing for the future transition to the building of communism.

In referring to the evolution of the state during these stages, comrade Nicolae Ceausescu presented some substantial theoretical evaluations: "During the entire period of socialist construction the workers state played a role of the greatest importance in providing the unified leadership in all the areas of economic and social affairs. As our society moved from one historical stage to another, the state's activities were increased and improved and, along with the elimination of the exploiting classes, the political and organization facets of these activities were accentuated, creating a new and fundamentally different organizational framework compared to the one that existed during the first years of the proletariat's acquisition of power."[4]

Actually, during its evolution the Romanian socialist state has travelled down a significant path. If during the first stage the essence of state power expressed the will and the interests of the vast majority of society, since it was aimed at eliminating the exploiting classes and exploitive relations and ensuring the triumph of socialist relations throughout the entire society, currently the essence of the

Romanian socialist state represents the power of a people composed entirely of new social classes and categories and friends of the workers, regardless of their nationality. The mission of the state is to develop, consolidate and improve the forces of production and socialist social relations for the purpose of creating a multilaterally developed socialist society and advancing towards communism. To this end, it will be necessary to ensure Romania's transition from the ranks of the developing nations to the ranks of the medium-developed countries by 1985, and, on the basis of achieving the guidelines for economic-social development in the 1981-1990 decade, as approved by the 12th Party Congress, to achieve generally the tasks of creating a multilaterally developed socialist society, marking an important step forward towards a communist society.

Clearly, throughout this entire period, with the state being of the socialist type, it is radically different and superior to the capitalist type of state. For the first time in the history of our country, political power belongs to those who work, being used exclusively in their interest and against their exploitation. For the first time, state power is called upon to organize, guide and direct society towards the well-being and happiness of all the people and towards new levels of civilization and culture in the interest of the entire nation and each citizen.

In carrying out the socialist revolution, the working class needs the state in order to ensure and consolidate its victory in the revolution and to achieve the socialist and communist revolutionary transformation of society. Socialism is a new, superior order that is radically different from the capitalist order. For that reason, its creation can be achieved only after overthrowing the capitalist order and after eliminating the social and national domination of the exploiting classes and their state power. Once the working class acquires political power, it is used to completely crush the economic power of the bourgeoisie and then to ensure the triumph of socialist relations in the entire economy and finally eliminate the exploitation of man by man, giving a decisive rebuff to any attempt by the overthrown classes to recapture their lost positions. The political power is also used to consolidate the workers' power on the basis of ensuring the necessary conditions for their real and effective participation in the management of all of society. Similarly, it is also used to ensure the triumph of the new, socialist culture and ideology, based on the scientific, materialist-dialectic concept about the world and society, and to ensure carrying out of the principles of the new morals and ethics and the norms of socialist social behavior throughout society.

Likewise, the socialist state is used to ensure national independence and sovereignty, to defend revolutionary gains against any acts of external aggression, with the socialist state being in the ranks of the states and social forces committed to the struggle for peace, democracy and social progress, to eliminate force and the threat of force and wars, and to create a new international economic and political order based on the new, consistently democratic principles of international law.

The development of our socialist state in the more than 3 decades since the full acquisition of power completely confirms the materialist-dialectic and historical thesis with regards to the necessity of the state in creating a socialist society and in scientifically organizing and leading society.

Beginning with the realities of the development of the Romanian socialist society in the contemporary context, comrade Nicolae Ceausescu has formulated theses of special theoretical and practical value with regards to the dynamics of the essence, role and functions of the state, its relationship with the other social-political institutions of our society and its position within the framework of the political system, as well as in reference to the purpose and perspectives for the development of the state in the future.

In analyzing the evolution of the Romanian socialist state, comrade Nicolae Ceausescu has emphasized, first of all, the necessity of dialectically dealing with this process, keeping in mind the situation that the state does not remain immutable after the acquisition of power, but is transformed as changes take place in the economic-social structure of society and in its ideology.

The emphasis on this characteristics has special importance since it points out the perspectives for the development of the socialist state and the transformations that take place in its essence on the basis of broadening the social base of political power. Actually, if during the period of going from capitalism to socialism socialist state power was based on the will and interests of the vast majority of society, being directed, however, against the exploiting minority that was thrown out of power, after the victory of socialism and the disappearance from society of the exploiting classes and class antagonism the social basis of power was represented by the fraternal alliance and friendship of the working class, the cooperativized peasants, the intelligentsia and the other social categories regardless of nationality, which themselves were radically transformed, taking on new, socialist characteristics. As is mentioned in the Report presented at the 12th Party Congress, "Our society is composed of friendly social classes and categories actively participating in the production of material and spiritual goods. Among them there is a continuing closeness with regards to working conditions, technical-professional horizons, general culture and the manner of material and spiritual life."[5]

We have in mind, therefore, the transformations that are taking place in the social structure of the country, in the physionomy of the classes and the relationships between them and in the direction of strengthening the alliance of the working class and the peasantry and the unity of all the people and of ever more powerfully affirming the cohesion of our socialist nation.

These changes, which will be accentuate as the building of the multilaterally developed socialist society progresses, generate an aver greater degree of closeness between the social classes and categories, bringing about the strengthening of the unity and cohesion of all the people and the process of social homogenization that has begun in our society.

At the same time, our na[illegible]n shown by the unit of will and interests of all its members, is fully affirm[illegible] socialist, free, independent and sovereign nation. On the basis of the just s[illegible] of the nationality problem, an enduring brotherly unity has been achieved for a[illegible] workers regardless of their nationality, with the coinhabitating nationalities equally actively participating in the building of a new society.

The leading role in the state is played by the working class, the most advanced class of our society. The fulfillment of such a role clearly does not confer any type of privilege to the working class, but, on the contrary, gives it special responsibilities towards all the people in ensuring the rapid and consistent advancement of the country towards multilaterally developed socialism and communism. At the basis of this power is the alliance between the working class and the peasantry and the unity of all the social classes and categories regardless of nationality.

From the point of view of historical type, state power in our country has a socialist nature. Considered from a social point of view, it has the characteristics of a true people's power since it effectively belongs to all the people. At the same time, we can characterize it as a workers and workers-peasants power since the working class has a leading role and the worker-peasant alliance is at the base of this power. From a national point of view, a characteristic of state power lies in the fact that it belongs to a socialist nation unified with the coinhabitating nationalities, having definitively resolved the nationality problem on the basis of achieving full equality for all citizens regardless of their nationality.

On the international affairs level, state power is characterized by full sovereignty and independence and by solidarity with the social forces that struggle against imperialism, colonialism and neocolonialism, and for peace and social progress.

The Romanian socialist state is thus the political organization of the people's power led by the working class and working to achieve a multilaterally developed socialist society and advance the country towards communism. It represents the sovereign right of the people to be free and masters of their own destiny, to adopt fundamental, immediate and future decisions and to establish its future in full cognizance of its cause.

Certainly, the state is not the only political organization called upon to serve the working class in the construction of the new order. It is a distinct element having its own functions within the political system composed of the Romanian Communist Party, numerous mass and public social-political organizations contained in the Socialist Democracy and Unity Front, and the forms of self-management through which the workers directly participate in the adoption of fundamental decisions on the development of the country and in the management of social-economic units and all of society.

The Romanian Communist Party has the leading role in the political system of our country. As the leading political force for all society and the vital center of our nation, the party is the political organization that unites the most advanced sons of the working class, the peasantry, the intelligentsia and the workers regardless of their nationality. Guided by the scientific, materialist-dialectic and historical ideology, the party, as the central coordinator in all the areas of economic and social affairs, decides together with all the people upon the program for creating the new, socialist and communist society and upon the guidelines for the development of the economy, science and technology, culture and the country's domestic and foreign policies during each stage.

The leading role of the party, one recognized by all the people, involves its special responsibilities towards the people and the nation and is achieved not by placing it above society or outside of society, but by placing it within the social, state and economic organisms through the organic integration of communists in economic and social affairs and through their direct participation in work groups in solving the problems of socialist construction and uniting the general efforts of the workers. The Constitution notes the role of the party as the leading political force in the state and in society, in this manner sanctioning a fundamental principle of our political system. As a governing party, the Romanian Communist Party has the decisive, leading role in forming and adopting laws and other state acts and in elaborating domestic and foreign policies.

The most concentrated expression of the party's policy for creating a new order is given in the party's Program, the basic ideological, theoretical and political Charter of the party that establishes in a unified manner the general strategy and tactical guidelines of the party's and state's domestic and foreign policies for a period of 20 to 25 years and the fundamental directions of the development of Romanian society on the path to socialism and communism.

Our party has formulated its own concept with reagards to the place and role of political, mass and public organizations, trade union organizations, organizations for women, cultural-scientific and artistic organizations and others within the framework of the system of socialist democracy and the system of political organization in our society. The principles for the organizations and operation of all these organizations have been improved, adapting to the transformations that our society has experienced and the current requirements of building a new order.

Special mention is needed for the Socialist Democracy and Unity Front as the broadest permanent, democratic and revolutionary political organism that unites under the leadership of the Romanian Communist Party not only all the mass and public organizations and the coinhabitating nationalities' workers councils, but also its own organizations composed principally of workers who are not party members, thus mobilizing all the people in the carrying out of the party's and state's domestic and foreign policies.

The state, the exponent of the people's power, occupies a separate place in the system of political organization in society since it has the exclusive right to adopt obligatory decisions that take the form of laws, decrees and other normative acts, and to apply the laws, whose respect is guaranteed, against those who violate them through the coercive resources of the state apparatus. As an exponent of the people, the socialist state is also in a legal sense the holder of the property rights on the means of production and all the goods belonging to all the people that are found in state property.

Our party has made an original theoretical contribution of special importance within the framework of the political system in establishing relationships between the state, the party and the other mass and public political organizations, between the state and the masses and between the state and the citizen. This contribution

has been expressed in the practical means of organizing the political system and developing and improving it in our country, especially after the Ninth Party Congress. We especially have in mind the blending of party, state and public activities, the integration of the state in society and the combining of representative democracy with direct democracy and worker self-management based on the self-administration of social-economic and national units and the dialectic nature of the application of the principle of democratic centralism, as well as the spread of the application of the principle of collective leadership and work.

The blending of the activities of the socialist state with those of the communist party and the mass and public organizations is expressed in different ways, such as the organizations of a dual nature, belonging to the party and state. There are, for example, the Supreme Council of Economic and Social Development, the Central Council of Workers' Review of Economic and Social Activities, the Council of Socialist Culture and Education and the National Council for Science and Technology, as well as other local organs corresponding to these central organs. There also is the inclusion of certain representatives of party organs and mass and public organizations in the composition of different state organisms. The blending of the activities and organization of these bodies is possible and necessary because both the party organs and the state and public organs express the will and interests of all our people and militate for the achievement of the same goal and the program of creating a multilaterally developed socialist society and advancing the country towards communism. They all militate for the carrying out of the same domestic and foreign policies, as evidenced by the means and methods specific to each one.

The thesis regarding the need to integrate the state in society begins with the profoundly popular and consistently democratic nature of our socialist state and with the fact that the power stems from the people and is called upon to be exercised by the people for its own use. Within this context, we note the important measures taken along the line of improving the exercise of state power through the elective organs, as well as for ensuring the direct participation of the citizens in the leadership of the state and society, combining representative democracy with direct democracy and implementing worker self-management.

In this regard, we can mention the measures taken to increase the role and improve the activities of the Grand National Assembly as the supreme representative organ of state power elected on the basis of a direct, secret and obligatory vote. The electoral system has been developed along the line of continuing to further the democracy of this system, ensuring, on one hand, a social composition of the organs of state power that correspond to the social and national composition of our society and according a preponderant place for the representatives of the workers who work directly in production and the working class. At the same time, the proposal of a number of candidates for an electoral district has had and has the purpose of broadening the democratic means of electing workers' representatives to these bodies.

The experience of recent years shows that the Grand National Assembly, as the supreme organ of state power and the sole law-making body, makes decisions in the most important areas of domestic and foreign policies and in the leadership of economic and

social affairs, science, technology and culture. On the basis of the proposals of the party leadership and the decisions of the congresses, national conferences, Central Committee, Political Executive Committee of the Central Committee, the Grand National Assembly approves the laws of the country that are obligatory for all state, political, public and mass organs and for all citizens. There has been an increase in the role of the permanent commissions of the Grand National Assembly and the members. The permanent commissions issue opinions on all the drafts submitted for discussion in the Grand National Assembly or the Council of State and, at the same time, conduct a review of the manner in which the laws are respected in all state activities. Being not only eligible but also recallable and responsible to the electorate for all their activities, the members have a close tie with the citizens in the electoral districts, periodically present reports on their activities and the body to which they belong and militate for the achievement of social-economic projects in their electoral districts.

There has been an improve in the activities of the Council of State as the supreme organ of power having permanent activities, which, during the period between sessions of the Grand National Assembly, approves decrees having the power of law, thus ensuring the continuity of the supreme leadership of the state on the basis of oarty decisions. The Council of State is at the same time also subordinate to and controlled by the Grand National Assembly.

Of special political importance was the 1974 creation of the position of president of the Socialist Republic of Romania who, as chief of state, represents the state power domestically and in international relations. The election of the secretary general of the party to the position of president of the Republic is still further proof of the organic and indestructible unity between the party and the socialist state and the special trust that the party and all the people give to the remarkable personality of the secretary general of the party, comrade Nicolae Ceausescu, the most beloved son of the people and the most authentic exponent of the will and interests of our nation.

There has been a more precise defining of the boundaries between the activities of the supreme organs of state power and the activities of the government and the ministries as executive organs. All the activities of the government as well as the ministries and other central organs of the state administration are directed towards the implementation of the laws, decrees and decisions of the supreme organs. These central organs are headed by leadership councils composed of personnel from the ministries, as well as specialists and workers who work directly in production. As executive organs, they are called upon to take specific measures from day to day in order to implement the laws and the country's sole national economic and social development plan under the best possible conditions and to achieve the domestic and foreign policies of the Romanian socialist state.

Similarly, on a local level there has been considerable improvement in the activities of the state organs on the basis of the new administrative-territorial organization carried out at the beginning of 1968 within the framework of the counties, municipalities, cities and towns. The people's councils, as local organs of state power, are true organs for the self-management of administrative-territorial units. Having broad authority in the management of local economic and social-cultural affairs, they are called upon, together with the close cooperation of the citizens, to contribute to the harmonious development of all the counties and localities in the country.

The creation of the Congress of the People's Councils, the Legislative Chamber, the National Conference of the Presidents of the People's Councils and the county conferences of the members of the people's councils has a special significance for increasing the role of the local organs of state power and the for confirming the people's councils as organs of power and, at the same time, as organs of local self-management within the entire system for the leadership of administrative-territorial units in our country.

Clearly, in the process of furthering the democratic aspect of the organization and activities of the state organs we should mention the truly revolutionary measures taken at the December 1977 National Party Conference in the field of the activities of the organs of justice, the State Prosecutor and the Ministry of the Interior. These measures deal with attracting the masses to the process of carrying out justice and getting the workers to participate in the process of educating and reeducating those who have violated the norms of socialist law. "Only with the broad participation of the masses will we be able to ensure the continued decrease and, in the end, the elimination of all types of violations and deviations from the norms of social behavior."[6]

A special characteristic of the democratic nature of the political system is the means of the workers' direct participation in the management of social-economic, scientific, cultural and educational units and the extension and affirmation of the citizens' direct participation in the leadership of the state and society. We are talking about the measures that were taken to improve the management of socialist units, beginning with the 1967 National Party Conference, and that have been continually improved, acquiring their current form of organization on the basis of the decisions of the 1977 National Party Conference and the March 1978 Plenum of the Party Central Committee with regards to strengthening the self-management and self-administration of socialist units. In this regard, workers' general assemblies were institutionalized in the socialist units, with the assemblies headed by the president of the trade union, as well as workers councils whose president is the secretary of the party organization in the unit and executive bureaus of the workers councils whose president is the director of the enterprise. We find here a new means of combining the activities of the state, party and public organs and the achievement of the direct participation of the workers in the socialist units in the adoption of plans, in the analysis of the manner of fulfilling these plans and, in other words, in the management of the units. Thus, we actually achieve worker self-management in the units, whose content has been improved on the basis of the self-administration and self-financing of the units, as sanctioned and codified on the basis of the party decisions in 1978 regarding the introduction of the new economic-financial mechanism.

And, the forms of the citizens' direct participation and the system of self-management have been developed and improved through the creation of certain bodies of self-management and certain democratic fora at the national level. In this regard, we can mention the Congress of Workers in Industry, Construction and Transportation, which is convened once every 5 years (the first was held in 1977), the National Council of Workers as the permanent organ of the Congress, the Congress on Agriculture, which, similarly, is convened once every 5 years (the first was also held in 1977), and the National Council of Agriculture as the permanent organ of this Congress.

In the field of cultural-ideological activities, we can note the Congress on Political Education and Socialist Culture, convened for the first time in 1976. In 1978, the Congress on Education and Learning was institutionalized for the purpose of discussing the principal problems in the development of this essential sector of activity; it was convened for the first time in 1980.

Similarly, we should also mention the systematic organization of numerous conferences and working meetings at the central level, by branch of activity and at the local level to analyze and resolve the most important problems in the development of society. The practice of having public discussions on the most important draft laws prior to their approval by the Grand National Assembly is also one of the means of the citizens' direct participation in the adoption of decisions at the highest state level.

The authority of the different fora of socialist democracy and the manner in which they are staffed are once again proof of the blending of party, state and public activities and the stress that our party places on the development and furthering of direct democracy and on the citizens' direct participation in the leadership of the state and society. It should be mentioned that these organisms of self-management, both in the socialist units and in the national fora, are organically integrated in the system of society's political organization, giving these organisms certain characeristics that are specific to our country. They effectively contribute to the achievement of workers' power without speaking, however, of transforming them into state organs and without nationalizing them. Beginning with the fact that socialism is built by the people for the people, comrade Nicolae Ceausescu stressed once again at the 12th Party Congress the need for all state organs to base their entire activity on the broad participation of and consultation with the masses and on the broad use of the masses' initiatives, experiences and creative abilities. He also stressed that the organisms of socialist democracy must effectively operate as fora for the responsible discussion and just and effective solution of all problems.[7]

Thus, in analyzing the place of the state in the system of our society's political organization during the current stage, we find that in our party's concept the state, as an instrument of political power, has its own well-defined role within the system of leadership of society and its activities are organically combined with the activities of the other parts of the system of political organizations. Carrying out its activities under the political leadership of the party, the activities of the state are combined and organically blended with the activities of the public organizations and with citizens' direct and immediate participation in political and social-economic affairs.

The organization of the state is achieved on the basis of certain well-defined and outlined principles which the party places at the foundation of the structure and operation of state organs and the entire state apparatus.

These principles, which are not rigid, but rather improvable, have an interconditioning and complementary relationship. Such principles are: democratic centralism, collective leadership, personal responsibility, the principle of the masses' participation in management and of carrying out economic-financial self-management and

self-administration, the principle of the supremacy of the organs of state power and of the subordination of the executive organs to them, the principle of socialist legalities and the principle of socialist ethics and equity, humanism and social justice as expressions of satisfying the general and personal interests of the workers.

Similarly, we can mention the measures that were taken for the continued rationalization of the state organs' organization and methods of operation through a more just definition of their size, the simplification of their organization and operation, the reduction of the state apparatus, the growth of the portion of the apparatus directly involved in production and the reduction of the administrative apparatus, ensuring an increased level of competence and effectiveness in resolving problems.

Thus, in our country a system was created for organizing the state and, more generally, for the political organization of a broadly democratic society. It is a system adapted to the conditions of the current stage of development of the country with its own structural and functional characteristics through which a democratic and scientific leadership is achieved on the basis of the masses' active and direct participation in the discussion and adoption of decisions.

Noting this finding, comrade Nicolae Ceausescu emphasizes: "We could say that we have an organizational framework - both at the level of the economic-social units, cities and towns and at the national level - that is unique in its type and which ensures the direct participation of all the categories of workers, regardless of their nationality, in the management of the economy, social affairs and all of society. What is decisive now is the operation of these organism under proper conditions so that the elaboration and implementation of the state's domestic and foreign policies can be the result of the collective thinking and will of the workers and all our people. It is essential to ensure the proper operation of this democratic framework and the full use of the possibilities that it offers."[8]

According to the Romanian Communist Party's concept, the role of the state is ever more actively affirmed in the construction of the new order, with its functions being continuously adapted to the tasks of each stage of development in society. "Within the framework of the general activities for the scientific organization and leadership of society there has been a continuous strengthening of our socialist state and its functions have been improved in accordance with current requirements," notes the report to the 12th Party Congress.[9]

By the functions of the socialist state we mean the fundamental directions of the activities of the state, the overall grouping of its organs and its entire mechanism as directed towards the achievement of the program of building socialism and communism. As is generally accepted by political science and socialist laws the functions of the state in this concept are not to be confused with the specific activities of the state in one field or another, for example, in the field of planning, education, introducing technical progress, training personnel, foreign trade and so forth, nor with the tasks of the different categories of state organs - legislative, administrative, carrying out justice and so forth. In order to denote these distinctions, some authors use the term "funadamental functions" for the so-called functions of the state and non-fundamental functions for the specific activities of the state and its

organs. Without denying some utility for this division, especially in a didactic sense, we nonetheless believe that its acceptance will generate some confusion, especially with regards to defining the content of the different categories of functions. For this reason, we have used the concept of the functions of the state only in one sense, that of the fundamental directions of its activities.

The functions of the socialist state are determined by its essence as an instrument of political power in society and by its role in the different stages of socialist construction.

As will be seen, the functions of the socialist state have their own dynamics and their scope, content and weight change throughout the different stages of the evolution of the state. Certainly, as has been stressed a number of times in our party's documents, the general, objective trend is to increase and ever more powerfully affirm those functions that deal with the organization and management of economic-social affairs and the development of the complex and multilateral process of building the new order. Under the conditions where the power belongs to the workers, led by the working class and its communist party, the state is called upon to ensure the organization and management of all of society through its own means in accordance with the party's directives and program for building a new order. For that reason, we felt it was necessary to separate into a distinct function this activity of the state, a function identified by the organization and management of society, which, in a way, is an integrating summary of all of the functions. We clearly take into account the role and place of the state in the system of political organization and the fact that the Romanian Communist Party is the leading political force in the entire society. For that reason, the statal organization and management of society is achieved within the framework of the general mechanism for the operation of the socialist political system, on the basis of the fundamental principle of the leading political role of the party. Under the guidance and leadership of the party, the state ensures the organization and management of all of society in accordance with the general interests of socialist and communist construction by using its own means and, first of all, its right to elaborate obligatory decisions and norms having the power of law for all of society.

We must keep in mind, similarly, that this leadership is not achieved by circumstances or by a restricted group of "elected" people or by an elite. On the contrary, it is appropriate for the socialist state to ensure a democratic and scientific leadership as brought about by the participation of certain ever broader masses in political affairs and by the understanding of the laws of the development of society and the newest advances of the contemporary scientific and technical revolution. It is necessary to continually work for the improvement of these essential characteristics of the state's activities. "Beginning with the consideration that both in a multilaterally developed socialist society and, at a still-far-off time, in communism, the state will have an important role in the unified management of economic and social affairs. It is necessary," points of comrade Nicolae Ceausescu, "for us to permanently work for the improvement of the state's activities and the entire system of organizing society, placing special stress on ensuring the scientific, democratic leadership of the vast effort to build the new order."[10]

The socialist state has an important role not only in eliminating the vestiges of the capitalist relations based on exploitation, but also in creating the new socialist relations and the new economy based on the socialist ownership of the principle means of production, as well as in ensuring the creation and development of the technical-material base of socialism and continually improving the new production relations. This brings about the permanent growth of the economic role of the socialist state, the amplification of its activities to organize and manage the economy and the diversification of the economy. That is why the economic function of the socialist state has special weight and experiences a permanent development and amplification for the purpose of ensuring the complete victory of communism.

We felt that the separation of this function of the socialist state into one distinct area was opportune and based on scientific criteria, beginning with the ever greater importance that our party and state give to the problems of improving the quality of life, permanently increasing the workers' material and spiritual standard of living and raising the level of civilization and culture of all the people. We must basically keep in mind the fact that man himself stands at the center of the party's and socialist state's policies along with the concern for the free and complete affirmation of his creative abilities and his personality is of special importance for the concerns of the state to have a quality of life that is of a new quality based on the principles of a socialist society and the norms of socialist ethics and equity. We should also mention the state's concerns for demographic development, the strengthening of the family and the protection of the environment.

An important function of the socialist state, one present right from the establishment of socialist power and which has experienced and is experiencing a strong development, is the cultural-educational and ideological function. This function encompasses in its sphere of activities the complex activity of the state for the socialist education of the masses, the continual raising of their level of knowledge and culture on the basis of developments in education, science, art and culture, and the permanent education and continual improvement of professional training during this tumultuous period of development in science and technology. It attests to the state's involvement in the process of carrying out cultural revolution, pursuing the placement of the entire concept about the people's world on the basis of dialectic and historical materialism and the scientific concepts about the world and life. The activities of the state organs and its institutions are especially complex. It involves, on one hand, the struggle against retrograde, idealistic and mystical concepts in society and, on the other hand, the creation of a new awareness based on the principles of a materialist-dialectic scientific concept, socialist ethics and equity and the triumph of socialist ideology. The content of this function is even more rich and varied and experiences a continuing improvement and adaption to the new requirements of life.

It is clear that in the first stage of its existence, during the first years after the acquisition of complete power, the socialist state was called upon to carry out a function of crushing the resistance of the overthrown exploiting classes, to which end the appropriate means and methods for the conditions in our country were used.

In the end, this led to the annihilation of the attempts of the exploiting elements thrown out of power to reacquire their positions and block the carrying out of the revolutionary process and the achievement of the objectives of socialist construction.

This function ceased to exist with the elimination of the exploiting classes and at the moment when there were no longer social categories hostile to the people's power, creating the social-political and moral-ideological unity of all the people in accordance with the new structure of society, with the state becoming an instrument of the power of our entire society. Certainly, this did not mean the disappearance from our society of all acts against the socialist order, rights, laws and the norms of socialist ethics and equity. Unfortunately, there continued to be individuals who did not follow the socialist principles of organization and life and infringed upon socialist or private property, socialist rights and the freedom, dignity and even the lives of the people. For that reason, the socialist state continues to exercise a distinct funtion of defending socialist gains and combatting antisocial phenomena. This function is achieved both through efforts to persuade people, seeking first of all to prevent illegal behavior, and, when it is necessary, through repressive means employed by the organs of justice, the state prosecutor and the Ministry of the Interior, pursuing, in the final analysis, the reeducation and return to society of those found guilty of violating the laws. The achievement of this function is carried out on the basis of a close cooperation between the state organs, the masses of citizens and the workers collectives. The direction for the development of this function was given by the December 1977 National Party Conference and the 12th Party Congress and involves attracting the masses, public opinion and the work collectives to the struggle against violations of the laws and the norms of socialist ethics and equity in the process of reeducating those who have committed illegal acts and those punished by law.

These are the internal functions of the socialist state, which, as can be seen, involve the entire sphere of social activity from leadership activities in general to those of managing economic-social and cultural-educational activities and to the activities for guiding the workers' behavior in accordance with the laws and norms of socialist ethics and equity and for combatting acts that violate these norms. The achievement of these functions takes place not through a juxtapositioning of the activities of the different state organs, but through their interaction and interconditioning. Even if certain organs of the state are called upon to carry out first of all and principally a certain function, they also contribute more or less, to a greater or lesser degree, to the achievement of other functions of the state. For that reason, we emphasize the complementary nature of the functions of the state and the blending and interaction of the activities of the state organs in the achievement of these functions.

Keeping in mind the fact that the state is a part of the political system of our society, a system which also involves, as we have seen, the party as a leading political force, the mass and public organizations, the activities of the workers collectives and the citizens in the process of managing society, we can and must mention that the achievement of the state's functions is carried out with the participation of the

entire system of political organizations in society. They are carried out under the leadership of the party with the active support of the mass and public organizations and with the direct participation of the masses. Without such an understandind we cannot have a real picture of the manner in which the state's functions and all state activities are carried out.

Within the framework of external functions, keeping in mind the party's policy which begins with the need for our state to actively participate in the international division of labor and to intensify its collaboration and cooperation with other countries and all peoples, an important position is held by the function of developing relations of collaboration and cooperation with other states and for the promotion of a new international order. As a socialist country, Romania places in the center of its international relations collaboration and cooperation with all the socialist countries, to which it is tied by the commonality of its social-political order and by the goals which it pursues, of ensuring the triumph of socialism and communism, peace and progress. At the same time, our state develops relations for collaboration and cooperation with the developing nations and the non-alined nations. Since it is also a developing nation, it is even more natural for Romania to give special importance to its relations with these countries in their struggle to finally eliminate the gaps existing today in the world by ensuring its economic-social progress.

On the basis of the principles of peaceful coexistence our state also develops relations with the developed capitalist countries and all the states of the world regardless of their social order, actively participating in the international division of labor and the world trade of goods. Keeping in mind the objective needs of contemporary social development, our state actively militates for the creation of a new international economic and political order and for the triumph of new democratic principles that will govern international relations.

Beginning with the realities of the contemporary world, where the danger of war has not been eliminated and where there are still numerous hotbeds of war, aggressive imperialist policies and an unprecedented accumulation of arms, it is necessary for the states and peoples to wage a consistent struggle for the defense of international peace and security and for the final elimination of wars and violent means of resolving conflicts and misunderstandings between states. For that reason, a distinct external function of our socialist state is the struggle that it consistently wages for the defense and promotion of international peace and security.

At the same time, keeping in mind the international context within which the building of the new order is taking place, where the danger of certain new wars has not been eliminated, as well as the responsibility for defending the revolutionary gains, our state also carries out the function of defending the country, with the purpose of ensuring the defense of national sovereignty and independence and the participation of the Romanian socialist state in international affairs as a sovereign and independent state.

In evaluating the external functions of the state, we must keep in mind the remarkable achievements made by our country, especially after the Ninth Party Congress, as a

result of carrying out an active, principled foreign policy full of initiatives under the direct guidance of comrade Nicolae Ceausescu. As a result, socialist Romania has acquired a well-deserved prestige in international affairs and makes a significant contribution in a spirit of high principles to the cause of freedom and independence, security and the collaboration of peoples, and to the struggle for the solution of the major problems confronting contemporary mankind and the cause of detente and progress on our planet.

The external functions of the socialist state, in dialectical unity with the internal ones, have as a defining characetistic the promotion of the new in international affairs. The principal directions towards which these functions converge are the elimination of the old world policies and order based on force, inequality and domination, which generated countless wars, and on forms of oppression and dependency and domination and subordination, and the creation of certain new interstatal relations that will ensure peace and collaboration between all nations on the basis of the free and independent development of each people.

The working class's acquisition of power first in one state and later in a number of countries in Europe, Asia and Latin America makes the promotion of the new in international politics a component of the external functions of the socialist state. As a result of the profound national and social revolutionary changes that are taking place in the contemporary world, objective conditions are being created for the affirmation of the new in international affairs through the appearance of other progressive social forces and through the decisive role of the popular masses everywhere in determining the course of contemporary mankind's development. These forces are militating for a new, democratic international policy, for the independent affirmation of all the nations of the world, detente and peace, and against imperialist, colonialist and neocolonialist policies of force and diktat and spheres of influence and domination.

In dealing with the external functions of the state we must keep in mind both their interdependency with internal ones and the participation of all the social organisms, the mass and public organizations under the leadership of the communist party, in the achievement of these functions. The unity of content of all the functions of the socialist state - internal and external - is expressed in the finality of all state activities, as outlined in the Constitution: "Its purpose is the development of the order and prosperity of the socialist nation, the continued growth of the people's material and cultural well-being, the assurance of freedom and dignity for man and the multilateral affirmation of the human personality."

The analysis of the functions of the Romanian socialist state and the evolution of the state demonstrates the permanent growth of the role of the state in organizing and leading society, a valid process for the period of creating a multilaterally developed socialism and in the future for ensuring the transition to communism.

The need for the role of the state to grow and to be amplified during the current stage and in the future is an essential thesis of our party and it has in mind not an increase in its administrative role, but in its constructive, creative activities for scientific organization and leadership.

The detailed analysis of the manner of carrying out each of the state's functions will give us the opportunity to ascertain the scope of the state's activities within the entire system of political organization in society, the powerful furthering and broadening of socialist democracy as a law of developing the socialist state and worker self-management, the ever more powerul integration of the socialist state in society, the interaction of the activities of the state, the party and the public, and the ever broader participation of masses and each citizen in the management of the socialist units, the state and all of society.

FOOTNOTES

1. Nicolae Ceausescu, "Speech at the Meeting of the Central Party and State Active, 3 August 1978," Bucharest, Politica Publishing House, 1978, pp 40-41.

2. "The Program of the Romanian Communist Party for Creating a Multilaterally Developed Socialist Society and Advancing Romania Towards Communism," in "The 12th RCP Congress," Bucharest, Politica Publishing House, 1974, p 683.

3. Here, we are referring only to dividing into periods the evolution of the Romanian state after the proclamation of the people's republic and the full acquistion of power, a moment when we can speak of a socialist type of state. The previous period, and especially the one between 6 March 1945 and 30 December 1947, represents a phase of transition where the state power had a series of characteristics corresponding to that revolutionary stage, without being able to characterize it as a socialist power. The state of this period, representing a revolutionary-democratic power having a pronounced worker-peasant nature, ensured the transition to socialist type state in our country.

4. Nicolae Ceausescu, "Romania on the Path of Building a Multilaterally Developed Socialist Society," Vol 13, Bucharest, Politica Publishing House, 1976, p 73.

5. Nicolae Ceausescu, "Report to the 12th RCP Congress, Bucharest, Politica Publishing House, 1979, p 59.

6. Nicolae Ceausescu, "Speech to the Second Congress of the Socialist Democracy and Unity Front, 17 January 1980." "Speech at the Conclusion of the Proceedings of the Congress, 18 January 1980," Bucharest, Political Publishing House, 1980, p 24.

7. Nicolae Ceausescu, op. cit., p 13.

8. "National Conference of the RCP, 7-9 December 1977," Bucharest, Politica Publishing House, 1978, p 2.

9. Nicolae Ceausescu, op. cit, p 15.

10. Nicolae Ceausescu, "Romania on the Path of Building a Multilaterally Developed Socialist Society," Vol 13, p 75.

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ROLE OF TRADE UNIONS IN IMPROVING MINING OPERATIONS

Bucharest MUNCA DE PARTID in Romanian Oct 81 pp 41-43

[Article by Petru Furdui, chairman of the Committee of the Union of Trade Unions in the Mining, Petroleum, Geology and Electric Power Enterprises: "With the Face Always Turned Toward the Mining Initiatives"]

[Text] In carrying on the socialist competition organized by the trade unions, under the leadership of the party bodies and organizations, for fulfilling the plan targets and the pledges made, the working people are uncovering and utilizing new resources of production, are helping to improve the processes and methods of work, to affirm the new, being aware that this is to their benefit and that of our whole society. Many of the creative ideas--technical, organizational and ethical--that they bring and put into practice to continually raise the efficiency of the production activity and to increase national wealth demonstrate, once again, the dispositions of the miners and the other workers to do, on their own initiative, more than is required of them by the plan figures, to resolve prime requirements that involve mainly the development of ore or coal production, known under the generic name of initiatives in production. The more than 20 initiatives and advanced methods of work that are now being applied, for instance, in the mining units alone, by nearly 100,000 working people are a graphic expression of their determination to utilize as well as possible the entire technical and human potential that they possess. At the same time, they constitute strong arguments for an optimistic frame of mind that characterizes the miners and the technical personnel, the researchers and the designers in this basic branch of the economy, for whom a wide field for asserting their inventiveness, talent and diligence has been opened up through the program drawn up by the party leadership with regard to providing the country's energy independence in this decade.

The existence of such a multitude of initiatives and advanced methods in work laid before the committee of the union of our trade unions and its executive bureau the not-at-all easy task of knowing them all, measuring their value and acting speedily to generalize, on the scale of the whole branch, the most efficient ones from a production and economic viewpoint. So it is that, as early as 1979, we assumed a bigger role in conducting the process of discovery, selection, expansion and generalization of the initiatives, thus giving an organized character to this new concern, in which we have gained some methodical experience, which, as the Resolution of the Congress of the UGSR [General Union of Romanian Trade Unions] asks of us, we are now trying to develop, to utilize to the full by means of our own actions.

I would like to mention that knowledge of the new initiatives and methods that appear is a major aspect of our concern thus far, which, naturally, we are continuing by

means of all the actions put in our programs. To this end, together with the competent bodies within the ministry and in collaboration with the territorial bodies of the trade unions, we periodically review, according to zones of the country, everything new that appears as a specifically mining initiative or method and their practical efficiency, pursuing especially the ones that involve the growth of physical output and the reduction of standardized consumptions of supplies. We do not schedule such analyses specially, independently, but as a separate chapter within the quarterly examination of the progress of the socialist competition. The latest investigations of this kind were done at the Valea Jiului and Oltenia mining combines and the Deva and Baia Mare ore centrals. Within them we proceeded to inventory all the initiatives appearing in the respective basins, regardless of their value, then selecting, according to the criterion of the economic effect and of the capacity to mobilize the masses, the ones that may be worth the effort to be promptly generalized in all the specialized units of the branch, on the basis of a concrete program.

Due to the concern for identifying the best out of the multitude of initiatives and methods and due to the concerted effort made by our union, the affiliated trade unions and the personnel in the ministry, supported strongly by the local party bodies, in the mining branch such initiatives as the following are being applied in the coalfields in Valea Jiului and Oltenia: "The Brigade of High Productivity and Socialist Education"; "With Each Excavator in the Quarry, a Bigger Volume of Mining Mass!"; "100 Linear Meters of Advance on the Average per Month in the Opening and Preparatory Work"; "Let Us Achieve Advances of 150 Linear Meters in the Work in Coal and of 120 Linear Meters in That in Rock on the Brigades Equipped with Cutter-Loaders!"; and "Worker Guidance." The initiative "The Brigade of Socialist Education and Labor" is giving good results in the units within the Baia Mare Mining Central, with the top formations being honored with the "Diamond of Maramures" trophy, there being success in creating among them a strong competition in work. Besides these initiatives specific to the mining sector, some of a more general economic order are also being applied, such as: "The Savings Account of the Trade-Union Group"; "Let Us Work 1 Day per Month with Fuel Saved!"; "The Friend of the New Employed in Work"; and "Each Engineer and Technician Should Solve a Technical Problem Outside His Own Tasks!".

The detection of everything that is new in the matter of initiatives and methods is only part of our general concern, perhaps its easiest aspect. Because--why not say it--while in the majority of the mines we find understanding and prompt steps are taken to create all the conditions needed for applying the good methods or initiatives, in others we must perform explanatory work to convince even the technical and administrative leaders, who say that, anyway, they have enough on their minds.

Consequently, in the fieldwork of the members of the committee of the union of trade unions we have also introduced, as a mandatory component, the task of helping the trade-union committees and the working people's councils to apply and generalize the initiatives, to keep track of the effect and to improve them. The action undertaken not long ago by us together with the Gorj County Trade-Union Council is, I believe, indicative of the way in which we proceed in order to expand and generalize the initiatives. At the Rosia Pesteana Mining Enterprise, for example, we had studied the disciplinary situation of the personnel and, finding many infractions, we considered it advisable to, among other measures, also give the working people's council and the trade union there concrete help in increasing the role of the foremen in production, by establishing the objectives of the initiative "Worker Guidance" in relation to the specific character of the respective unit.

First, through the activist of the union and that of the county trade-union council who are responsible for this unit, we acted to experimentally apply this initiative, for the first time in the Pesteana Quarry, and then, for 6 months, we followed it day by day in order to see its practical efficiency. Notices and folders were printed up and posters that illustrate the initiative's content, the directions and the requirements that it involves were made up to support its application. In addition, conferences and discussions between brigades and the trade-union active and the foremen in the quarries were organized in order to share basic experience gained. The working people's council there was convinced to exhibit greater interest in this initiative, to collaborate closely with the trade-union committee on organizing the matter of knowing and distinguishing the results according to work formations or the time when it is necessary to give help in solving the problems posed by the introduction of the initiative. As a result, the unexcused absences were reduced considerably, since the intransigence of the foremen and the opinion of the staff, through the trade-union groups, acted coordinately and with severity, an occurrence that had as a result a 9-percent rise in the index of use of equipment and excavators.

On the basis of these good results and the experience accumulated, we decided to act to extend this initiative to the whole mining basin of Oltenia, for which purpose we organized a conference with a character of an exchange of experience at the Rovinari Mining Enterprise, in which the trade-union-group organizers, top workers, brigade members and foremen, chairmen of the trade-union committees and management personnel of the sectors and in the quarries participated. The content and the way in which the initiative was being applied, the results obtained and the lessons that must be taken into account were presented on this occasion. Beginning with this year, "Worker Guidance" was undertaken in all the mining units in Oltenia, with some mining sectors in Valea Jiului and Baia Mare also entering into its area of spread, at now being applied by about 12,000 working people, according to our records.

Working in this way to implement the instructions given by Comrade Nicolae Ceausescu at the UCSR Congress, we ensured that a number of initiatives would take on a mass character. The initiative "The Brigade of High Productivity and Socialist Education" was generalized in all the units in the basin of Valea Jiului, at Motru and Baia Mare, containing in its sphere a total of over 2,000 miners, and at the Lupeni Mining Enterprise, the initiative "The Brigade of High Productivity and Socialist Education" is being applied by 50 brigades and 8 mining sectors and led to the achievement of over 40,000 tons of coal above the plan for the first half of this year, with the whole pledge for 1981 thus being overfulfilled. In addition, in this period, significant quantities of coal above the plan were extracted at the Barbateni, Paroseni, Uricani and Vulcan mining enterprises and at the Cimpu lui Neag Quarry.

From our own experience, however, we have become convinced that we must also devote just as much attention to maintaining at a higher and higher level the interest in undertaking and applying the initiatives and to involving with concrete responsibilities, besides the trade unions, the technical, engineering and management personnel in the mining units, in the combines and even in the ministry. Because, in many units, these personnel, although they appreciate the contribution of the workers' initiatives to mobilizing the staffs to attain the priority objectives of production (and the efficiency obtained is graphic), are nevertheless not involved decisively enough to contribute to the creation of the technical-material conditions that would permit the undertaking and implantation of these initiatives.

This is precisely why the practice--now a permanent feature--of organizing in each quarter, together with the managements of the mining combines, in the basins of Valea Jiului and Oltenia, conferences with technical personnel in the management of these big production units, heads of mining sectors, foremen, brigade members, trade-union-group organizers and trade-union chairmen has found a place for itself in our style and methods of work. On this occasion, the results obtained in applying the advanced methods or initiatives and the concrete contribution made by those present are analyzed separately and measures for the future activity are established for each enterprise. Being aware of the decisive contribution that the initiatives have to effectively increasing the spirit of competition in work, and of the fact that the concerns of the trade unions in this regard must be intensely stimulated, we also introduced, by mutual agreement with the management of the ministry, two special occasions as part of the conferences: 1. The recognizing of the trade unions that have concerned themselves more closely and methodically with utilizing the initiatives, whose experience we present then and there; and 2. The awarding of bonuses, from the funds of 0.05 percent of the combines and 1 percent of the enterprises, to the best work formations, which, applying the described initiatives, have found salutary solutions for extracting more coal or ore, for obtaining a higher output on each work front. New pledges for expanding some initiatives are made on this occasion.

Frankly, what does not please us, out of all that we have done in this field, is the fact that a very valuable initiative like the one that has inscribed on the credit line the motto "Not one car of coal rejected because of rock that can be separated at the workplace!" is applied by a small number of brigades and, unfortunately, it has been abandoned at some units in Valea Jiului. And this is when the working people's councils and the trade unions in the mining units in Valea Jiului, in pursuit of quantity, are neglecting the quality of the output. To give ourselves an idea of the importance of the initiative, it is sufficient to state that over 40 million lei in penalties for deviations from the quality prescribed for the coal furnished were paid to the electric-power enterprises in the first half of this year.

It goes without saying that a number of actions devoted to spreading and generalizing these initiatives are contained in our programs, with us being concerned with helping methodically, on the spot, particularly those trade unions and collective bodies that, although they participated in our conferences and exchanges of experience, have not acted with the due seriousness to promote the valuable initiatives, exhibiting laziness, formalism or superficiality regarding such an element for stimulating the production activity that could bring them great benefits.

We are sure that, by expanding our own actions devoted to rapidly discovering the new initiatives and by selecting the most valuable ones for application, expansion or generalization--constant concerns, to which we will add those pointed out in the last part of these lines--we will help the affiliated trade unions to the utmost to utilize the new disposedness of the miners also generated by these initiatives, thus all contributing to the providing of the primary energy resources that would support the program for economic and social development of the homeland drawn up by the 12th party congress, to the attainment of the stage of a country with an average level of development by Romania in this 5-year period.

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JURISDICTIONAL DISPUTE BETWEEN CROATIAN COURTS

Zagreb VJESNIK in Serbo-Croatian 28 Nov 81 SEDAM DANA pp 14-15

[Article by Maja Miles]

[Text] Courts, of course, do not dispute with one another every day (we use the term "dispute" only provisionally and quite loosely, since it is not a question of any legal dispute, but of a dispute of views and opinions). That is why what is happening (and has been happening for several months) between the Supreme Court of Croatia and the Administrative Court of Croatia is a true little curiosity, with all the accompanying spices and preconditions for it to become a very rare plant: an authentic juridical scandal, and, if not, at least a very hot topic for the courthouse corridors. At present the story is just circulating about how two very high (to put it mildly) republic courts have gotten into an argument, an argument about which of them is higher, which outranks the other and which is subordinate on what occasions and for what subject matter, and indeed which on this very subject is the more professionally and legally competent? So that we do not create pictures and conclusions from the nightmare of reports we have been furnished by the well-informed, by the less-well-informed and by the altogether uninformed--we set off to inform ourselves about the mysterious events on the spot.

The spot is No 3 Zrinjevac, a building housing both of the parties to this unusual quarrel. The events consist of a correspondence which at the moment is made up of three "pieces"; two of the administrative court and one of the supreme court. And that is all, except the total of 38 pages of rather dense printed text containing material for at least two or three conferences, topics for lawyers to win very subtle points and so many open questions that we can only say: whoever has the task of finding the ultimate agreement is to be pitied.

In any case, the task here for a newsman is not to be envied in the least: to provide what we refer to as an objective report, since when you read it page by page and piece by piece in just 1 hour, each of them at least several times in nearly complete persuasion, only to be at once dissuaded by the next one and persuaded of the exact opposite. Nor is it any wonder, if we remember that this is not a dispute whose participants are just anybody, but who are two very high authorities in the legal and constitutional system; such as these usually know what they are talking about.

Except that this time one is saying one thing, the other something else, and they are equally convincing.

Which Has Jurisdiction Over What?

To be brief. Everything began with a proposal of the Constitutional Court of Croatia that certain things be amended in the Law on the Regular Courts (the republic law which was passed in 1977 and which supposedly was already in need of being amended, on the basis of the traditional short life of our laws), and in particular that the status of the administrative court be changed so that it would finally become what--in its opinion--it should be and for what it was originally established (once again in 1977): the highest court in the republic for administrative disputes. Yet to achieve this, the Supreme Court of Croatia, which today has rather broad opportunities to "outrank" the administrative court, has to be deprived of certain of its powers, or those powers have at least to be limited: some have to be altogether passed on to the administrative court, while others would be shared with the administrative court. But we will not enter into all the cases which in the opinion of the administrative court should be redistributed, but only those which are most important. For example: when the so-called extraordinary legal remedy of petition for protection of legality (which is declared by the public prosecutor if he deems that the court has violated some republic law) is allowed against rulings of the administrative court, the supreme court ought no longer to make the decision, or at least not alone. That is, it is absurd, the administrative court asserts, for the Supreme Court of Croatia--which is otherwise not concerned at all with administrative matters except in those (extremely rare) cases of protection of legality, to be able to set aside decisions of a republic court (the administrative court) which is specialized in disputes of precisely that kind, and it is still more absurd for it to do so in what is referred to as a small panel--consisting of only three judges. Three judges, that is, who spend the entire year working on altogether different cases, now all of a sudden quash verdicts which are the expression of long years of practice, of great experience, and that everyday experience with the very specific attribute of dealing with highly entangled subjects such as expropriation and nationalization proceedings, tax, construction, housing and administrative accounting disputes, old-age and disability pensions, and so on.

It would be more logical, professional and consistent for the new law to provide that the judges of the supreme court rule on petitions for protection of legality jointly with judges of the administrative court--in a joint common session. As a matter of fact, that in fact was the case before 1977, when the administrative court was not even any separate court, but only a division of the supreme court, and when decisions on petitions for protection of legality against its rulings were made in joint sessions. How is it that it is different now when, to paraphrase the problem as stated by the administrative court, it is an independent court, and that the highest court in its domain? Yet the method of ruling on appeals is actually "lower"?

It sounds logical. But that is not yet all: that same joint session, the administrative court proposes, ought to be envisaged in all cases when the supreme court is adopting its so-called legal views on matters of principle in the

various fields of administrative law. The opinion of the supreme court on matters of principle have great influence on practice, and it would be logical for the administrative court, that is, its judges, who best know administrative subject matter (by contrast with the judges of the supreme court, who encounter it only sporadically) to be given the chance, when necessary, to have its say (not only to have its say, but also to vote). And not only that: the law should also provide for the administrative court itself to have its own "common and joint session" in which it would set forth its own opinions on matters of principle: after all (and this is a paradox which especially troubles the administrative court), the opinions on matters of principle which are now set forth solely by the Supreme Court of Croatia do not affect the practice of administrative officers and agencies, since they are not bound by them, just as (legally) the lower courts are not bound by those opinions either (in criminal, civil and other cases). Thus their strength does not go beyond mere authority; by contrast the legal views of the administrative court which are binding in individual decisions upon administrative officers and agencies (this is a specific feature of the administrative dispute) would have a formidable direct impact on "those down below."

Lengthy and Sharp Response

Otherwise--that is, if neither of these proposals goes through, there is hardly any point at all, the administrative court asserts, in having a supposedly separate and supposedly republic court for administrative cases; it would be best for it to be returned to the bosom of the supreme court from which it came. For it to be reduced again to a "division"--and then it would as such actually have more influence on the practice of the highest court in the republic than it does the way it is now. Second phase: the supreme court responds to the proposals of the administrative court, and that rather extensively and rather sharply. None of the changes being proposed comes under consideration: first, because some of them cannot be regulated by republic law at all (the one about courts), since they fall under federal jurisdiction, and the others could not be implemented "even if they were otherwise acceptable," because this would violate nothing more or less than the republic constitution.

In other words, there is perhaps the basis for the administrative court's objection to the number of judges on the panel of the supreme court which has the power to rule on certain of its decisions. But the makeup of a judicial panel is a part of adjective law and a provision of the federal constitution explicitly places this in the competence of the federal legislature (in other words: in this case one needs to wait not for amendment of the Law on Regular Courts, but amendment of the Law on the Administrative Dispute). An explicit federal provision places judicial proceedings in the competence of the Federation (except for so-called special proceedings, but the administrative dispute does not come under that head), and that is a very important provision whose purpose is to ensure the equal position of citizens before courts throughout Yugoslavia.

On the other hand the Constitution of SR [Socialist Republic] Croatia has given the Supreme Court of Croatia--and not a single other "high" court--the power to set forth views on methods of principle and legal conceptions, and that not without reason and gratuitously, but in order to ensure uniform application of

laws by the (regular) courts throughout the republic; for the same reason it has been given the power, the exclusive power, to rule on extraordinary legal remedies such as the petition for protection of legality which so much bothers the administrative court. Thus the constitution has reserved this for it, the supreme court, and it alone, and that all the way to one domain in which now the administrative court would like to participate. Sharing those powers with the administrative court would--we are freely interpreting the positions of the supreme court--actually mean a trampling of the constitution and turning things topsy-turvy. The mere fact that the administrative court is a specialized court which best knows the field in which it works does not at all support the view that it should take over the power of the supreme court in those fields, but precisely the opposite: the more specialized the courts, the greater the need for a joint and supreme arbiter to be above them, an arbiter which would equalize their practice in the application of (frequently the same) laws, in order to prevent one and the same legal system (and often the same laws) from being differently interpreted from area to area. That is why the constitution has designated one and only one supreme court for all the branches of the (regular) courts, and that is why the administrative court can neither be absolutely supreme even in an administrative dispute, a court above which there would be none higher.

For the same or similar reasons it cannot participate in sessions of the supreme court either, not even when views are being adopted within its own field of administrative law: incidentally, this would be as if district courts claim such rights only because the matter involves the cases they otherwise try and the like. Likewise, only the judges elected to the supreme court can rule on a petition for protection of legality with the full right to vote, and it would be absurd for those meetings to be attended by the judges whose decisions are being deliberated (except possibly as advisers, without the right to vote).

Nor does it come under consideration that the administrative court again become a division of the supreme court, since in the first place there are no real reasons for that, nor could that step backward be taken at this moment: when our jurisprudence is organized altogether differently than it was before 1977. For that matter, who asserts that the administrative court should not have become precisely what it is? No one--except the administrative court!

It Is Difficult To Judge the Courts

This is a description, certainly only in the briefest outline, of more than 16 typed pages of the very astutely developed line of argument (our job here, let us not forget, is truly an unenviable one). Here again we can make the observation: it really sounds convincing, but now comes a new "item"--"Review of the Opinion of the Supreme Court," offered by the administrative courts, and the arguments (counterarguments) are again quite convincing, to put it mildly (conclusion: when lawyers, lawyers moreover of high caliber, endeavor to convince you of something, there is no hope for you, and this time there were lawyers like that on both sides).

First of all, asserts the Administrative Court of Croatia, it just is not altogether true that only and exclusively the Federation can prescribe the makeup of

a court, and that here the republics and provinces would not be able to do anything at all in their own laws. The makeup of a court, to be sure, according to the generally accepted interpretation, by and large falls in the area of procedural guarantees, and is therefore a part of adjective law, which truly is in federal jurisdiction. But, the administrative court asserts, this does not mean that the federal legislator himself cannot leave a portion of the issues of adjective law to the republics, which is precisely what he has done in the Law on the Administrative Dispute, since he has prescribed that the decision in an administrative dispute shall be made by a panel of three judges "unless law specifies that the decision on some action taken against decision rendered in an administrative dispute be decided by a larger panel of judges." The "law," then, and not "federal law"--which accordingly could be a republic law.

And as for violation of the supreme position of the supreme court in the judicial hierarchy, were it to open the doors of its meetings to administrative judges, it should not be forgotten that this would be nothing new. Indeed this inviolable position claimed by the Supreme Court of Croatia is not defended by any other supreme court in the other republics or provinces. In Slovenia the supreme court and the special court of associated labor (which has jurisdiction over a portion of the cases tried in our republic by the administrative court) have a "joint session" in which they jointly adopt views on matters of legal principle, and no one there raises the question of whether this has violated the exclusive right of the supreme court to guarantee uniform application of laws in the republic; in Serbia the higher economic court (they have no administrative court, which outside of Croatia has been instituted only by Bosnia-Hercegovina) participates similarly in the proceedings of the supreme court; and not only that--the Higher Economic Court of Serbia participates even when the supreme court is deciding on extraordinary legal remedies against ... its own verdicts and the verdicts of economic courts in Serbia. In Bosnia-Hercegovina on the other hand, the only republic where there is a separate administrative court like ours, the institution has been introduced of the expanded joint session of the supreme court in which the panel includes judges of the administrative court and in which legal conceptions are adopted--exactly the arrangement which our administrative court would like to see, but our supreme court is refusing.

And so on, and so on. And these are only the main, or at least most interesting "points of dispute." Now the supreme court will probably respond to the new arguments, perhaps dissuade all those whom the administrative court has just managed to convince, or again convince those whom the administrative court has dissuaded. But that is the way when courts "quarrel" (and again this is said very provisorally): it is difficult to act as their judge.

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